

JOURNAL *of the* REGULAR SESSION
OF THE
HOUSE OF REPRESENTATIVES
OF THE
COMMONWEALTH OF KENTUCKY

Begun and Held in the City of Frankfort, the Sixth Day of
January, in the Year of Our Lord 1920, and of
the Commonwealth One Hundred
and Twenty-Eight.

PROPERTY OF THE STATE OF KENTUCKY



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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

SATURDAY, MARCH 13, 1920.

AFTERNOON SESSION:

At 1:30 P. M. the House reconvened.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

House Bill No. 476, entitled, an Act to incorporate the "Jefferson Davis Memorial."

House Bill No. 187, entitled, an Act to amend Section 165, Acts 1918, (Section 4482, Kentucky Statutes), relating to levying of tax for graded schools.

House Bill No. 53, entitled, an Act requiring the payment of a license tax by persons, firms, associations and corporations, who, for compensation, engaged in the business of operating hat and coat racks or check rooms at hotels, restaurants or other places where the public is entertained where such compensation is contingent upon gratuities.

House Bill No. 12, entitled, an Act to repeal Section 2276 of John D. Carroll's Volume 3, 1918 supplement, Kentucky

Statutes, and to repeal Section 2260 of John D. Carroll's Kentucky Statutes, and re-enact Section 2260, John D. Carroll's Kentucky Statutes, relating to the pay of jurors in circuit and inferior courts.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill and resolution of the following titles, viz.:

House Bill No. 158, entitled, an Act to amend and re-enact Section 772-a, Kentucky Statutes, relating to the operation of railroads in this Commonwealth.

House Resolution No. 41, entitled, a Joint Resolution providing for help for the enrolling clerks of the House and the Senate.

Whereupon all other business was suspended, said bill and resolution were severally read at length and compared

in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill and resolution.

Ordered, that the Enrolling Clerk deliver said bill and resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill and resolution, which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill and resolution which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

Senate Bill No. 39, entitled, an Act entitled an Act to amend an Act approved March 20, 1914, Chapter 69, session 1914, Carroll's Statute, Section 2739, to regulate, license and govern use of motor vehicles and provide penalty for a violation thereof.

Senate Bill No. 284, entitled, an Act to amend and reenact Section 2980 of the Kentucky Statutes, (Carroll's Edition, 1915), relating to revenue and taxation in cities of the first class.

Senate Bill No. 215, entitled, an Act to provide for the teaching of parliamentary law in the high schools of the Commonwealth:

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. No. 114. An Act to prescribe the duties of mayor, chairman—chairman *pro tem*—what number shall constitute a quorum of the city council, fixing the liability of members of city council.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The mayor shall be chairman of the board, and in his absence a mayor and chairman *pro tempore* shall be elected from the members; but such person shall not perform the functions of the office of mayor unless the regular mayor be absent from the county, or is, for any reason, unable to discharge his duties. A majority shall be a quorum of the board with power to act, and in the absence of a quorum two members shall have power to adjourn from time to time until a quorum is secured. In case of a vacancy in the board by death, resignation or any other cause, such vacancy shall be filled as hereinafter provided. The board shall meet at such times and places as shall be provided by ordinances. It shall judge of the eligibility and election returns of its members, adopt rules for its proceedings and government, and enforce

the same by appropriate fines, not exceeding ten dollars for each offense; and three-fourths of the members, voting affirmatively may, for any good cause, expel any member.

All Acts and parts of Acts in conflict with this Act, are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Henry Kaufman	T. P. Oliver
L. H. Ballard	Griffin Kelly	B. F. Reynolds
J. M. Billiter	W. L. Kimbrough	J. L. Richardson
W. M. Boling	J. M. Knott	Sherman Robbins
Roy J. Cain	Dr. S. D. Laughlin	Lee Rogers
J. F. Carr	Hebron Lawrence	B. A. Roth
T. L. Caudel	Joseph Lazarus	Chas. R. Scott
H. N. Dean	Elmer Lusby	E. E. Shannon
J. M. Foster	I. S. Mason	H. G. Skiles
B. J. Goehringer	A. J. McCandless	S. G. Smith
A. F. Hanberry	R. L. McFerron	H. A. Spillman
E. C. Hardin	Homer C. McLellen	R. Lee Stewart
R. O. Huntsman	Harry J. Meyers	Wm. A. Stewart
J. W. Johnson	Chas. A. Nelson	John T. E. Stites

Frank L. Strange	John L. Trumbo	R. E. Wilborn
T. R. Stults	J. Wood Vance	W. N. Winn
John W. Swope	Fred C. VanHoose	
J. Mack Thompson	Daniel Vose	—52

Those who voted in the negative were—

Robt. Humphreys	John T. Murphy	—2
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Mr. McCandless offered the following amendment to the title:

Amend title of Bill 114, so it will read:

An Act to prescribe the duties of mayor, chairman, chairman *pro tem*, what number shall constitute a quorum of the city council of cities of the fourth class, fixing the liability of members of city council.

Said amendment was agreed to.

Resolved, that the title of said bill be as amended.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 406. An Act to amend Section 2944 of the Kentucky Statutes, relating to increase in salaries of deputy bailiffs of city court of Louisville, Ky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2944 of the Kentucky Statutes, Carroll's Edition of 1915, be and the same is hereby amended by striking out the word "twelve" in said section, and substituting therefor the word "fifteen," so that said section when amended and re-enacted, shall read as follows:

Sec. 2944. Bailiff and Assistants—Salaries.—The bailiff shall be assisted in the performance of his duties by two deputies, who are to be appointed by him. The bailiff and his deputies shall receive no fees, but that baliff shall receive a salary of thirty-five hundred dollars per annum and each of his deputies shall receive a salary of fifteen hundred dollars per annum. The salaries of the bailiff and his deputies shall be paid at the same time and in the same manner as the salaries of other city officers are paid.

An emergency is hereby declared to exist, and this Act shall take effect from and after its passage and approval by the Governor.

Dr. Gossett offered the following amendment:

Amend House Bill 406 by adding in line 6 and after the word "deputies," "one chauffeur," and in line 8, after the word "deputies" by adding "and chauffeur."

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Lon Adams	Elmer Lusby	S. G. Smith
H. H. Barnes	R. C. Marcum	H. A. Spillman
Roy J. Cain	I. S. Mason	R. Lee Stewart
J. F. Carr	A. J. McCandless	Wm. A. Stewart
T. L. Caudel	R. L. McFerron	John T. E. Stites
J. S. Cruse	Homer C. McLellen	Frank L. Strange
H. N. Dean	Harry J. Meyers	T. R. Stults
B. J. Gochringer	Estill W. Neel	John W. Swöpe
A. F. Hanberry	Chas. A. Nelson	J. Mack Thompson
E. C. Hardin	T. P. Oliver	Dr. D. J. Travis
Talbert Holliday	T. C. Pryse	John L. Trumbo
Adam W. Huff	B. F. Reynolds	Fred C. VanHoose
Robt. Humphreys	Sherman Robbins	Daniel Vose
R. O. Huntsman	Lee Rogers	Geo. C. Waggoner
J. W. Johnson	B. A. Roth	A. M. Wash
Dr. S. D. Laughlin	E. E. Shannon	J. S. Webb
Hebron Lawrence	Dr. B. F. Shields	W. N. Winn

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Those who voted in the negative were—

J. M. Foster	J. M. Knott	H. G. Skiles
Frank Kennard		

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Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. No. 456. An Act imposing the duties of the State Text Book Commission upon the State Board of Education and repealing Sub-section 1, of Section 4421a, Kentucky Statutes.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That Sub-section 1, of Section 4421a, Kentucky Statutes, Carroll's Edition 1918, be and the same is hereby repealed.

Section 2. That the duties now imposed by Section 4421a, Kentucky Statutes, relative to the selection of State Text Books, be and the same are hereby imposed upon the State Board of Education and the said State Board of Education shall constitute the State Text Book Commission and perform all duties now imposed by law upon the State Text Book Commission.

Section 3. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Lon Adams	W. L. Kimbrough	Dr. B. F. Shields
L. H. Ballard	J. M. Knott	S. G. Smith
J. M. Billiter	Dr. S. D. Laughlin	R. Lee Stewart
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
W. T. Carner	Joseph Lazarus	John T. E. Stites
J. F. Carr	Elmer Lusby	Frank L. Strange
T. L. Caudel	R. C. Marcum	T. R. Stults
J. S. Cruse	I. S. Mason	John W. Swope
P. A. Day	A. J. McCandless	J. Mack Thompson
H. N. Dean	R. L. McFerron	Dr. D. J. Travis
J. M. Foster	Homer C. McLellen	John L. Trumbo
J. W. Geveden	Harry J. Meyers	J. Wood Vance
A. F. Hanberry	John T. Murphy	Fred C. VanHoose
E. C. Hardin	Estill W. Neel	Daniel Vose
D. J. Howard	Chas. A. Nelson	Geo. C. Waggoner
Adam W. Huff	B. F. Reynolds	A. M. Wash
Robt. Humphreys	J. L. Richardson	J. S. Webb
R. O. Huntsman	Sherman Robbins	R. E. Wilborn
J. W. Johnson	B. A. Roth	W. N. Winn
Henry Kaufman	E. E. Shannon	

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Those who voted in the negative were—

W. M. Boling	H. G. Skiles	H. A. Spillman
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Resolved, that the title thereof be as aforesaid.

Mr. Humphreys moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 204. An Act to amend and re-enact Section 2119 Kentucky Statutes, Carroll's 1915 edition, relating to Trials in Divorce Cases.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2119 Kentucky Statutes, Carroll's 1915 edition be and the same is hereby amended by striking therefrom these words: "No petition for divorce shall be taken for confessed, or be sustained by admission of the defendant alone, but must be supported by other proof. Two witnesses, or one and strong corroborating circumstances, shall be necessary to sustain the charge of adultery or lewdness. The credibility or good character of such witnesses must be personally known to the Judge, or to the officer taking the deposition, who shall so certify, or it must be proved," and when so amended and re-enacted shall read as follows:

"It shall be the duty of the attorney for the County to resist every application for divorce, and if successful in defeating it, he shall be allowed a fee of not exceeding twenty dollars, to be paid by the husband, which he may be compelled to pay at attachment."

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and defeated.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	J. M. Foster	T. C. Pryse
H. H. Barnes	Adam W. Huff	S. G. Smith
P. A. Day	R. O. Huntsman	R. Lee Stewart
H. N. Dean	R. C. Marcum	—11

Those who voted in the negative were—

Lon Adams	D. J. Howard	Homer C. McLellen
S. M. Bennett	Robt. Humphreys	Harry J. Meyers
J. M. Billiter	J. W. Johnson	John T. Murphy
W. M. Boling	Griffin Kelly	Estill W. Neel
Rodney G. Bryson	Frank Kennard	Chas. A. Nelson
Roy J. Cain	W. L. Kimbrough	T. P. Oliver
W. T. Carner	J. M. Knott	B. F. Reynolds
J. F. Carr	Dr. S. D. Laughlin	J. L. Richardson
T. L. Caudel	Hebron Lawrence	Sherman Robbins
Charles M. Ciarlo	Joseph Lazarus	Lee Rogers
H. C. Duffy	Elmer Lusby	Dr. B. F. Shields
Dr. W. L. Gossett	I. S. Mason	H. G. Skiles
A. F. Hanberry	A. J. McCandless	Wm. A. Stewart
E. C. Hardin	R. L. McFerron	John T. E. Stites

Frank L. Strange	John L. Trumbo	J. S. Webb
T. R. Stults	J. Wood Vance	Gladstone Wesley
John W. Swope	Daniel Vose	W. G. Wheeler
J. Mack Thompson	Geo. C. Waggoner	R. E. Wilborn
Dr. D. J. Travis	A. M. Wash	W. N. Winn

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So said bill was defeated.

Mr. Dean moved that the vote by which said bill was defeated be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day a bill of the following title, viz.:

H. B. 425. An Act to amend Section 1 of Chapter 121, Acts of 1918, entitled, an Act to amend an Act, entitled an Act to amend an Act, entitled an Act to repeal and re-enact an Act entitled an Act granting pensions to indigent and disabled Confederate soldiers, and which is Section 415b-6, Chapter 22b, Carroll's Kentucky Statutes, 1915, Vol. 3.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1, of Chapter 121, Acts of 1918, approved March 28, 1918, entitled an Act to amend an Act, entitled an Act entitled an Act to amend an Act to repeal and re-enact an Act entitled an Act granting pensions to indigent and disabled Confederate soldiers, and which is Section 415b-6 of Chapter 22b, Carroll's Kentucky Statutes, 1915, Vol. 3, by striking out the words "Since January 1, 1907," in line three

of said Vol. 3, Carroll's Kentucky Statutes, and inserting in lieu thereof the following, "for one year prior to the date of his application for a pension hereunder, and who is not drawing a pension from some other State," so that said section when so amended and re-enacted will read as follows:

Sec. 415b-6. That any indigent or disabled person who has been an actual bona fide resident of this State continuously for one year prior to the date of his application for a pension hereunder and who is not drawing a pension from some other State, and who did actual military service in the Confederate army from the day of his enlistment until the close of the war or until he was honorably discharged as an officer or private soldier or sailor in the military or naval service of the Confederate States of America in the war of 1861-5, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1890, and who was living with him as his lawful wife at the time of his death shall be paid out of the State Treasury the sum of twelve (\$12.00) dollars per month upon proof of the facts according to forms and regulations prescribed by this Act and conditions prescribed therein; provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this Act as though he had served until the close of the war or until honorably discharged; and provided, further, that any officer or private soldier who deserted or was dishonorably discharged, shall not be entitled to the benefits of this Act unless he re-enlisted or returned to the service in the Confederate army and served until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service.

Mr. Nelson offered the following amendment:

Amend H. B. 425 by striking out in line 21, "1890" and inserting "1912," and by striking out in line 23, "\$12.00" and insert "\$15.00."

Said amendment was disagreed to upon a division, yeas 28, nays 33.

Mr. Hardin offered the following amendment:

Amend H. B. 425 by striking from Section 1, line 10, of the original bill the words "January 1, 1895," and further amend said bill by adding in line 14, after the word "therein" the following words: "and this provision shall be retroactive."

Said amendment was disagreed to upon a division, yeas 16, nays 30.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and defeated.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. M. Billiter	J. W. Johnson	B. A. Roth
W. M. Boling	R. C. Marcum	E. E. Shannon
W. T. Carner	John T. Murphy	H. G. Skiles
T. L. Caudel	Estill W. Neel	John W. Swope
J. M. Foster	T. P. Oliver	John L. Trumbo
B. J. Goehringer	T. C. Pryse	J. Wood Vance
J. W. Geveden	J. L. Richardson	Gladstone Wesley
A. F. Hanberry	Sherman Robbins	—23

Those who voted in the negative were—

L. H. Ballard	Henry Kaufman	S. G. Smith
S. M. Bennett	Frank Kennard	H. A. Spillman
Rcy J. Cain	J. M. Knott	R. Lee Stewart
A. S. Cooper	Dr. S. D. Laughlin	Wm. A. Stewart
J. S. Cruse	Hebron Lawrence	T. R. Stults
P. A. Day	A. J. McCandless	J. Mack Thompson
H. N. Dean	R. L. McFerron	Daniel Vose
H. C. Duffy	Homer C. McLellen	A. M. Wash
Dr. W. L. Gossett	Chas. A. Nelson	Dr. T. R. Welch
E. C. Hardin	B. F. Reynolds	W. G. Wheeler
D. J. Howard	Lee Rogers	
Robt. Humphreys	Dr. B. F. Shields	—34

So said bill was defeated.

Mr. Huntsman moved that the vote by which said bill was defeated be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. No. 452. An Act repealing Sections 15 and 16 of Chapter 112 of the Acts of the General Assembly, 1918, relating to dogs, the promotion of live stock industry and the protection of live stock and poultry from damage by dogs, etc., and re-enacting the same with certain modifications thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections Nos. 15 and 16 of the Acts of the General Assembly at its 1918 session, Chapter 112, be and the same are hereby repealed, and that there be enacted in lieu thereof the following:

(15) An accurate record of all license fees collected by the county court clerk, or paid over to him by any deputy clerk shall be kept in a book furnished by the Commissioner of Agriculture as a matter of information; but all such funds shall be turned into the county funds for the payment of live stock or poultry killed or damaged by dogs except as hereinafter provided. All moneys at present in the "dog fund" derived from the taxation of dogs under the existing law shall be turned into the said fund. All bills incurred under this Act or due at the time of the passage of this Act shall be paid out of said fund. The said county court clerk or deputy shall receive ten (10) cents for each and every license issued by them respectively, to be paid out of said county fund, and shall be retained by the county clerk or deputy as his fee for issuing said license.

(16) The County Tax Commissioners in each county of this Commonwealth, shall annually, at the time of assessing property as required by law, make diligent inquiry as to the number of dogs owned, harbored or kept by any person, and shall list them. The County Tax Commissioner shall annually on or before the thirty-first day of December make

a complete report to the county clerk and a duplicate report to the Commissioner of Agriculture on a blank form furnished by the county court clerk, setting forth the name of every owner of any dog or dogs, whether licensed or unlicensed, the license number of each licensed dog, how many of each sex, and if a licensed or unlicensed kennel is kept by any person, such fact shall also be stated. It shall be the duty of the County Tax Commissioner, at the time of taking the list, to notify the owner of such dog or dogs that he must obtain a license for same as provided for in this Act; but the neglect or failure to notify such owner shall not relieve such owner from his duty to obtain such license.

Mr. Wash offered the following amendment:

Amend House Bill 452 by adding to the last line of the last section thereof the following: "Section 14, Chapter 112 of the Acts of the General Assembly, 1918 session, is further amended by striking from said section the following: 'And in addition thereto it shall be the duty of the County Court Clerk to cause to be published by precincts in one of the newspapers in this county if there be such by February 15th of each year, the owner's name, post office and number of dogs for which he has obtained a license.' So that said section as amended will read as follows: 'The County Court Clerk shall keep a record of all dog licenses, all kennel licenses and all permits issued during the year. Such record shall contain the name and address of the person to whom each license or permit is issued. In case of an individual license the record shall also state the breed, sex, age, color and markings of the dog licensed, and in case of a kennel license it shall state the place where the business is conducted, the record shall be a public record and open to persons interested during business hours.' "

Said amendment was agreed to.

The committee offered the following amendment:

Amend House Bill No. 452 by striking out the word "ten" in line 10 of Section 15 and adding in lieu thereof the word "fifteen."

Also amend same by adding the following in Section 16, line 4, after the word "them" and before the word "the," "The County Tax Commissioner shall receive five (5) cents per dog for each dog listed by him, same to be paid out of said county fund."

Also amend the present law by allowing the Commissioner of Agriculture 3 per cent of amount received instead of 5 per cent.

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed, as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	W. L. Kimbrough	Dr. B. F. Shields
H. H. Barnes	J. M. Knott	H. G. Skiles
W. M. Boling	Dr. S. D. Laughlin	S. G. Smith
Roy J. Cain	Hebron Lawrence	H. A. Spillman
W. T. Carner	Joseph Lazarus	Wm. A. Stewart
J. F. Carr	Elmer Lusby	John T. E. Stites
A. S. Cooper	A. J. McCandless	Frank L. Strange
P. A. Day	R. L. McFerron	John W. Swope
H. N. Dean	Homer C. McLellen	J. Mack Thompson
H. C. Duffy	John T. Murphy	Dr. D. J. Travis
B. J. Goehringer	Estill W. Neel	John L. Trumbo
Dr. W. L. Gossett	Chas. A. Nelson	J. Wood Vance
A. F. Hanberry	T. P. Oliver	Fred C. VanHoose
E. C. Hardin	B. F. Reynolds	Daniel Vose
Talbert Holliday	J. L. Richardson	A. M. Wash
Adam W. Huff	Sherman Robbins	Dr. T. R. Welch
R. O. Huntsman	Lee Rogers	Gladstone Wesley
Henry Kaufman	B. A. Roth	W. G. Wheeler
Frank Kennard	E. E. Shannon	W. N. Winn

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Those who voted in the negative were—

S. M. Bennett	J. M. Foster	D. J. Howard
J. S. Cruse	Dr. T. H. Gamblin	R. E. Wilborn

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Resolved that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 402. An Act to amend and re-enact Sections 3 and 4 of the Act approved March 18th, 1912 (Chapter 122, Page 428, Acts of 1912) entitled:—"An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled, 'An act to amend "An Act for the government of cities of the first class," approved July 1, 1893, for the better government, administration and disposition and discipline of the fire department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class;" said Sections 3 and 4 of said Act being Sub-sections 17 and 18 of Section 2896-a of the Kentucky Statutes, Carroll's Edition of 1915.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3 of the Act approved March 18th, 1912, entitled: "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled, 'An Act to amend "An Act for the government of cities of the first class," approved July 1st, 1893, for the better government, administration and disposition and discipline of the fire department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the

creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class;" said Sections 3 and 4 of said act being Sub-sections 17 and 18 of Section 2896-a of the Kentucky Statutes, Carroll's Edition of 1915,—be and the same is hereby amended by striking therefrom the words "nineteen hundred and thirteen" in the third line of said section, and substituting therefor the words "nineteen hundred and twenty-one;" by striking therefrom the words "one cent" in the fourth line thereof, and substituting therefor the words "two cents;" by striking therefrom in the seventeenth line thereof the words "nineteen hundred and twelve" and substituting therefor the words "nineteen hundred and twenty;" and by striking therefrom the words "one cent" in the twenty-second line thereof, and substituting therefor the words "two cents;"—so that said Section 3 of said Act, when so amended and re-enacted, shall read as follows, to-wit:

"Section 3. There may be levied and set apart by the General Council of cities of the first class a tax for the year nineteen hundred and twenty-one, not exceeding two cents on each one hundred dollars of value of the taxable property in said cities for said year as a fund for the pensioning of crippled and disabled members of the Fire Department, and of the widows and dependent children under the age of fourteen years, and dependent fathers and mothers of deceased members of the Fire Department of said cities, and a like tax may be levied and set apart for the same purpose, for any succeeding year when the amount and value of property to the credit of the Firemen's Pension Fund falls below three hundred thousand dollars as of the date of the first of September preceding; that is, if during any year succeeding nineteen hundred and twenty, there shall be to the credit of the Firemen's Pension Fund on September 1, property and funds of less than three hundred thousand dollars, then the General Council of cities of the first class may levy and set apart for

the year succeeding a tax of two cents on each one hundred dollars of value of the taxable property in said cities where said condition occurs for said year as a fund for the purpose herein defined. And all moneys withheld from the officers, members or employes of the Fire Department as punishment for any breach of discipline, misconduct or violation of the rules and regulations for said department shall be paid into said fund each month and credited upon the payroll of the department, payable to said fund for that purpose; and all fines imposed by the Board of Public Safety upon officers, members or employes of the Fire Department, by way of discipline, and collectible from pay or salary, and all rewards, fees, proceeds of gifts and emoluments that may be paid or given on account of extraordinary service of any officer, member or employe of the fire department (except when specially allowed by the Board of Public Safety to be retained by such members) shall be paid into the Treasury to the credit of the Firemen's Pension Fund. The payment so made, together with the tax levy aforesaid, shall constitute and be kept as a fund to be called the Firemen's Pension Fund, and the said Board heretofore designated is hereby declared to be the trustee of said fund, and they shall have power, and it shall be their duty, from time to time, to invest the same, in whole or in part, as they shall deem advantageous for the objects of said fund, and they are empowered to make all necessary contracts and to take all the necessary remedies in the premises."

§ 2. That Section 4 of the aforesaid Act approved March 18th, 1902, be, and the same is hereby amended by incorporating therein the word "have" between the words "shall" and "exclusive" in the first line thereof; by inserting therein the words "not less than" immediately before the words "fifty cents" in the eighth line thereof; and by inserting therein the words "nor more than one dollar" immediately after the said words "fifty cents" in the eighth line thereof; and by re-enacting said section as thus amended, so that

said Section 4 of said Act, when so amended and re-enacted shall read as follows:

“Section 4. Said Board shall have exclusive control and management of the said fund, and all moneys donated, paid, or assessed for the relief or pensioning of disabled members of the Fire Department, their widows and dependent children under the age of fourteen years, or dependent fathers or mothers, and may assess each member and substitute of the Fire Department not less than fifty cents nor more than one dollar per month while he is a member or substitute of the department, to be deducted and withheld from the pay of each member or substitute so assessed, the same to be placed by the Treasurer of each city to the credit of such fund, subject to the order of such Board.”

§ 3. That all Acts and parts of Acts inconsistent, or in conflict, herewith, are hereby repealed.

Mr. Lazarus offered the following amendment:

Insert in line 29 of the printed bill, after the word “cities” the words “except on such property as is taxable for State purposes only.”

Insert in line 43 of the printed bill, after the word “cities,” the words “except on such property as is taxable for State purposes only.”

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Lon Adams	Robt. Humphreys	Sherman Robbins
Sidney Alfrey	R. O. Huntsman	Lee Rogers
H. H. Barnes	J. W. Johnson	B. A. Roth
J. M. Billiter	Henry Kaufmār	E. E. Shannon
Jo F. Bosworth	Griffin Kelly	Dr. B. F. Shields
Roy J. Cain	Hebron Lawrence	S. G. Smith
W. T. Carner	Joseph Lazarus	R. Lee Stewart
J. F. Carr	Elmer Lusby	John T. E. Stites
T. L. Caudel	R. C. Marcum	Frank L. Strange
A. S. Cooper	A. J. McCandless	John W. Swope
J. S. Cruse	R. L. McFerron	J. Mack Thompson
P. A. Day	Homer C. McLellen	Dr. D. J. Travis
J. M. Foster	Harry J. Meyers	John L. Trumbo
B. J. Goehringer	John T. Murphy	Geo. C. Waggoner
A. F. Hanberry	Estill W. Neel	J. S. Webb
E. C. Hardin	Chas. A. Nelson	Gladstone Wesley
Talbert Holliday	T. P. Oliver	W. N. Winn
A. R. Hudson	B. F. Reynolds	
Adam W. Huff	J. L. Richardson	

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Those who voted in the negative were—

Dr. W. L. Gossett	Dr. T. R. Welch	W. G. Wheeler
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Resolved that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 541. An Act to amend and re-enact Sub-Section 2 of Section 1847 of the Kentucky Statutes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sub-Section 2 of Section 1847 of the Kentucky Statutes, Volume 3, Carroll's Edition of 1918, be, and the same is hereby amended and re-enacted to read as follows:

Sub-Section 2: The said Commissioners shall each be paid out of the county levy in lieu of fees and in full compensation for his services as follows: any counties having a population of more than twenty thousand and less than fifty thousand inhabitants, \$1,000.00 per annum, payable monthly; counties having a population of fifty thousand or more, and less than one hundred thousand inhabitants, \$1,500.00 per annum, payable monthly. In all other counties such compensation as provided by law.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and defeated.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Joseph Lazarus	S. G. Smith
A. S. Cooper	R. L. McFerron	R. Lee Stewart
B. J. Goehringer	Harry J. Meyers	John T. E. Stites
J. W. Geveden	John T. Murphy	Dr. D. J. Travis
Talbert Holliday	J. L. Richardson	C. B. Truesdell
Adam W. Huff	B. A. Roth	J. Wood Vance
Robt. Humphreys	E. E. Shannon	Geo. C. Waggoner
J. W. Johnson	H. G. Skiles	A. M. Wash
Henry Kaufman		

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Those who voted in the negative were—

Lon Adams	Frank Kennard	Sherman Robbins
L. H. Ballard	W. L. Kimbrough	Dr. B. F. Shields
H. H. Barnes	J. M. Knott	H. A. Spillman
S. M. Bennett	Hebron Lawrence	Wm. A. Stewart
J. M. Billiter	Elmer Lusby	Frank L. Strange
W. M. Boling	R. C. Marcum	T. R. Stults
Rodney G. Bryson	I. S. Mason	John L. Trumbo
Roy J. Cain	A. J. McCandless	Fred C. VanHoose
J. F. Carr	Homer C. McLellen	Daniel Vose
P. A. Day	Estill W. Neel	J. S. Webb
H. N. Dean	Chas. A. Nelson	Dr. T. R. Welch
H. C. Duffy	T. P. Oliver	Gladstone Wesley
A. F. Hanberry	B. F. Reynolds	W. G. Wheeler
Griffin Kelly		

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So said bill was defeated.

Mr. Huntsman moved that the vote by which said bill was defeated be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed the following Senate bills:

Senate Bill No. 373, entitled, an Act to amend Section 3563, Kentucky Statutes, being Section II of an Act which became a law in the year 1916, being entitled, "An Act to amend and re-enact Sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, of the Kentucky Statutes relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways and thoroughfares in cities of the fourth class," so as to require counties to pay for the cost of all improvements imposed by the city ordinance upon the property of counties abutting upon streets in cities of the fourth class, to the same extent as other property owners.

Senate Bill No. 202, entitled, an Act to amend an Act entitled, "An Act to amend Section 6 of the Act approved March 23, 1910, entitled, 'An Act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable Boards of Education or Boards of School Trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy,' being Chapter 121 of the Acts of 1916, and also to amend Sub-Section 7 of Section 2978c of the Kentucky Statutes (Edition of 1915) relating to the duties of truant officers."

Senate Bill No. 348, entitled, an Act relating to oil and natural gas; regulating the receipt of same into pipe lines, and the transportation and delivery thereof to consumers.

Senate Bill No. 321, entitled, an Act empowering the Board of Trustees of any graded common school district to

condemn any land deemed necessary by said board, not exceeding ten acres, for a site for a graded common school, and providing the manner in which said land may be condemned.

Senate Bill No. 366, entitled, an Act amending Sub-Section 1 of Section 3643, Kentucky Statutes (Carroll's 1915 Edition), by eliminating from said section the words "the cost of constructing or reconstructing the intersection or crossing of streets, avenues and highways shall be at the expense of the city."

Ordered, that said bills be printed for the House and referred to the Committee on Rules.

The following House bills, passed by the House, were sent to the Senate:

House Bills Nos. 114, 406 and 456.

A message was received from the Senate, announcing that it had passed the following Senate bills:

: Senate Bill No. 122, entitled, an Act for the benefit of the American Printing House for the Blind, and making an appropriation for it.

Senate Bill No. 175, entitled, an Act to grant immunity to all persons who have failed to assess intangible property in previous years provided such property is assessed by the owner thereof for taxation as of July 1st, 1920.

Senate Bill No. 271, entitled, an Act to amend and reenact Sections 3 and 4 of the Act approved March 18th, 1912, (Chapter 112, Page 372, Acts of 1912), entitled: "An Act to repeal 'An Act providing for the creation, control and disposition of a fund to be used in pensioning, under certain conditions, policemen, and the families of deceased police-

men, in cities of the first class,' approved March 3, 1904, and to provide for the appointment of Trustees and the raising or creation, the management and disbursement, of a fund to be employed in pensioning, under conditions provided policemen and the families of deceased policemen in cities of the first class;" said Sections 3 and 4 of said Act being Sub-Sections 3 and 4 of Section 2872-a, Kentucky Statutes, Carroll's Edition of 1915.

Senate Bill No. 272, entitled, an Act to amend and reenact Sections 3 and 4 of the Act approved March 18th, 1912, (Chapter 122, page 428, Acts of 1912), entitled, "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled 'An Act to amend "An Act for the government of cities of the first class," approved July 1st, 1893, for the better government, administration and disposition and discipline of the Fire Department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class;" said Sections 3 and 4 of said Act being Sub-Sections 17 and 18 of Section 2896-a of the Kentucky Statutes, Carroll's Edition of 1915.

Ordered, that said bills be printed for the House and referred to the Committee on Rules.

A message was received from the Senate, announcing that it had passed House Bill No. 384.

Ordered, that said bill be enrolled.

Also that it had passed the following Senate Bills:

Senate Bill No. 30, entitled, an Act to provide, except in certain cases, for the taking of testimony of witnesses orally in open court in suits of equity in circuit courts, other than those of continuous session; to provide for the keeping of an equity trial docket; and to allow the taking of depositions in such cases in certain exceptional instances and kinds of suits.

Senate Bill No. 223, entitled, an Act to amend an Act entitled, "An Act entitled an Act to amend Sections 854 to 878, both inclusive, of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll and to regulate the organization, incorporation, operation and management of building and loan associations, creating the Department of Building and Loan Associations in the office of the Banking Commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth," of the Acts of 1918, by striking out of Section 865a the following: "Provided no loans shall be made upon paid-up, fully paid-up or matured stock."

Senate Bill No. 370, entitled, an Act providing for the appropriation of money for the construction and maintenance of a road leading from the Brownsboro road to the monument and grave of Zachary Taylor, in Jefferson County, Kentucky, and for placing in repair the grave of Zachary Taylor, and providing for the appointment by the Governor of a Commissioner to have charge of said work.

Ordered, that said bills be printed for the House and referred to the Committee on Rules.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

House Bill No. 80, entitled, an Act to repeal and re-enact Chapter 22b, Section 415b, Kentucky Statutes, Carroll's 1915 Edition, and all amendments thereto.

House Bill No. 346, entitled, an Act to amend and re-enact Section 911 of the Kentucky Statutes, Carroll's Edition of 1915, relating to official indexers.

House Bill No. 352 entitled, an Act prescribing the duties of the Clerk of the State Fiscal Court, and providing compensation for his services required hereinunder.

House Bill No. 471, entitled, an Act to amend Section 4 of Chapter 118 of the Session Acts of 1918, entitled, "An Act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud horse, jack or bull in this Commonwealth, fixing the date of the expiration of licenses provided for, and providing the manner of registering and recording the breed, name, age, color, sire and dam of the animal to be licensed and fixing a fee for such registration, and fixing penalties for failure to provide licenses."

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed

by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

House Bill No. 77, entitled, an Act to enlarge and extend the powers, duties and privileges of the Auditor of Public Accounts; to abolish the office of State Fire Marshal; to abolish the office of Superintendent of Fire Insurance Rates; to supervise the operation of fire insurance rate-making bureaus and providing for their examination, prohibiting rebating and discriminations in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate-making bureaus, requiring inspection and survey by such bureau of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; providing for the prevention of fire waste, the investigation of fires and the origin thereof, and the consequential loss of life; fixing salaries and expenditures and prescribing duties; levying a tax upon certain insurance companies authorized to do business in the State for necessary expenses incident to the act; providing penalties for violation, and repealing existing statutes.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

House Bill No. 350, entitled, an Act providing for the establishment and maintenance, in counties having therein a city of the first class, of an institution for the care of neglected, dependent, delinquent, and other children; and providing for the creation and maintenance of a board to establish and maintain such institution, and defining the powers and duties of said board; and permitting, in such counties, a consolidation, under such board, of municipal and county institutions engaged in such work; and providing for the conveyance to, and the acceptance by, such board, of property for the use of such board in carrying out the purposes of this Act; and authorizing the levy and collection of taxes to raise funds for the purposes of this Act; and repealing the Act approved March 15, 1912, entitled, "An Act creating a Parental Home and School Commission in counties containing a city of the first class, defining the powers and duties thereof, and empowering fiscal courts to levy a tax to create funds for the purposes of this Act;" and repealing the Act approved

March 9, 1854, creating the Board of Managers of the Louisville House of Refuge and all Acts amendatory thereof, and supplemental thereto, relating to the Louisville House of Refuge and to the Louisville Industrial School of Reform, including the Act approved March 3, 1860, the Act approved January 27, 1866, the Act approved January 31, 1867, the Act approved February 27, 1867, the Act approved March 29, 1873, and the Act approved May 13, 1886, and for other related purposes.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. No. 19. An Act, entitled, an Act to amend an Act entitled, "An Act relating to Roads and Passways," approved

March 23, 1914. Being Section 4325 of Kentucky Statutes, Carroll's Edition, Volume 3, 1918.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4325 of Kentucky Statutes, Carroll's Edition, Volume 3, 1918, being part of an Act entitled, "An Act relating to Roads and Passways," approved March 23, 1914, be and the same is hereby amended by adding to said section the following language: "Provided that the employment of a County Road Engineer shall be entirely optional with the Fiscal Court and upon the failure to elect a County Road Engineer his duties shall revert to and be performed by the magistrates of the several districts or the county surveyors and that in counties where the Fiscal Court does not provide for a County Road Engineer same shall not in any way prohibit, interfere with or prevent said counties from receiving aid from the State for the construction, maintaining and building of roads on the same terms, in the same manner and under the same conditions as counties having a County Road Engineer, so that said section when amended shall read as follows:

§ 2. There is hereby created in the several counties of the State of Kentucky the office of County Road Engineer. The county judge of each of the counties of this State by and with the consent of the Fiscal Court, may within thirty days after this law becomes operative, on or before the first day of January, nineteen hundred and fourteen, and every two years thereafter, appoint a County Road Engineer, who shall be either a reputable civil engineer or a man who has had practical experience as a road supervisor or builder for two years and who shall have passed a creditable examination by the State Commissioner of Public Roads or one of his representatives.

Nothing in this section shall prevent the present County Road Engineers from serving the term for which they are elected or appointed. Such County Road Engineer, except the first, as appointed shall serve a period of two years from and after the first day of January, and until his successor is appointed and qualified. The term of the first one appointed, regardless of when the appointment was made, shall expire January 1, 1914.

Vacancies in the office of County Road Engineer shall be filled by appointment for the unexpired term by the county judge of the county, by and with the consent and approval of the Fiscal Court. The County Road Engineer shall receive as a salary not less than \$600.00 per annum, to be fixed by the Fiscal Court, which shall be paid as provided in case of other county official. The County Surveyor of the county elected at the last preceding general election may receive such appointment, provided he be competent as provided by this chapter, and for such service he shall receive the compensation fixed by the Fiscal Court as provided in this section in lieu of all fees except such fees as are allowed by the law for his services as County Surveyor. It shall be the duty of the County Clerk to give written notice to the appointees provided in this chapter of their appointment as soon thereafter as practicable, and each person appointed shall, within ten days after having been notified of such appointment, qualify by giving such bond as the County Court may direct for the faithful performance of his duties thereof. The County Road Engineer shall have an office with proper furniture and equipment, at the county seat of the county. In all counties of the State levying a road tax amounting to over \$50,000.00 the Fiscal Court shall furnish the County Road Engineer with transportation in performing duties connected with the superintending, construction, repair and maintenance of the roads in the county. To this end the Fiscal Court may purchase or rent teams or automobiles which may be used by the county judge or committees of the Fiscal Court or Board of

Commissioners for inspection of the roads and to determine recommendations on needed work and repairs; provided, that in counties where the Fiscal Court does not provide for a County Road Engineer, the services in this Act directed to be performed by the County Road Engineer, except as otherwise herein provided, shall be performed by the County Surveyor, or by some other person designated by the County Court, and for such services shall receive the same compensation allowed by law to commissioners for dividing land.

The County Road Engineers who are now in office shall continue to serve as such until the first day of January, 1919, unless sooner removed pursuant to the provisions of Section 4326 of Kentucky Statutes. And, provided, that the employment of a County Road Engineer shall be entirely optional with the Fiscal Court and upon failure to elect a County Road Engineer his duties shall revert and be performed by the magistrates of the several districts or the County Surveyor and that in counties where the Fiscal Court does not provide for a County Road Engineer same shall not in any way prohibit, interfere with or prevent said counties from receiving aid from the State for the construction, maintaining and building of roads on the same terms, in the same manner and under the same conditions as counties having a County Road Engineer.

§ 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

Mr. Geveden offered the following amendment:

Amend House Bill No. 19 by striking out on Page 2, Section 2, line 2, after the words "road engineer," the words, "The County Judge of each of the counties of this State, by and with the consent of the Fiscal Court," and inserting therein the words, "The Fiscal Court of each of the counties of this State."

In line 6 of said Section 2, by striking out after the word "thereafter," the word "appoint" and insert therein the word "elect."

By striking out in line 18 of said Section 2, after the words "be filled by," the words "appointment for the unexpired term by the County Judge of the county, by and with the consent and approval of the Fiscal Court," and insert the words therein, "election for the unexpired term by the Fiscal Court."

Mr. Wash moved to table said amendment.

Said motion was disagreed to.

Then said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Lon Adams	R. O. Huntsman	B. A. Roth
L. H. Ballard	J. W. Johnson	E. E. Shaamon
Il. H. Barnes	Henry Kaufman	Dr. B. F. Shields
S. M. Bennett	Griffin Kelly	H. G. Skiles
W. M. Boling	Frank Kennard	S. G. Smith
Roy J. Cain	J. M. Knott	H. A. Spillman
J. F. Carr	Dr. S. D. Laughlin	R. Lee Stewart
T. L. Caudel	Hebron Lawrence	Wm. A. Stewart
A. S. Cooper	Joseph Lazarus	John T. E. Stites
J. S. Cruse	Elmer Lusby	Frank L. Strange
P. A. Day	R. C. Marcum	T. R. Stults
H. N. Dean	I. S. Mason	Dr. D. J. Travis
H. C. Duffy	A. J. McCandless	C. B. Truesdell
J. M. Foster	Homer C. McLellen	John L. Trumbo
J. W. Geveden	Harry J. Meyers	J. Wood Vance
Dr. W. L. Gossett	John T. Murphy	Daniel Vose
A. L. Hamilton	Estill W. Neel	Geo. C. Waggoner
E. C. Hardin	Chas. A. Nelson	Dr. T. R. Welch
Talbert Holliday	T. P. Oliver	Gladstone Wesley
D. J. Howard	J. L. Richardson	W. G. Wheeler
Adam W. Huff	Sherman Robbins	R. E. Wilborn
Robt. Humphreys	Lee Rogers	V. M. Williamson

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Those who voted in the negative were—

Rodney G. Bryson	A. F. Hanberry	W. L. Kimbrough
W. T. Carner		—4

Resolved that the title thereof be as aforesaid.

Mr. Humphreys moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. No. 553. An Act to provide for the removal of sand or gravel from that portion of the Ohio river between the thread of the main current and the low water mark on the Illinois, Indiana and Ohio shores; providing for a tax thereon and the collection thereof, and providing for permits to be issued by the Secretary of State.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any person, firm or corporation to dig or remove sand or gravel from the bed of the Ohio river, between the thread of the main channel and the low water mark, on the Illinois, Indiana or Ohio shores, without first obtaining a permit so to do from the Secretary of State of this Commonwealth, which permit shall be issued on an application to be made as directed in Section 2 of this Act, and shall not be granted for a period exceeding one year.

§ 2. All applications for permits herein shall be made on forms to be provided by the Secretary of State, and shall state the place from which such sand or gravel is to be removed, the county or counties in which same are located; the approximate number of yards to be removed, the name or names of the riparian owners on the Kentucky shore opposite the gravel bed, and any and all other facts which said department of government may require. Said application shall bear the endorsement of the County Judge of the county in which said sand or gravel beds are located before being filed with the Secretary of State. The Secretary of State is hereby vested with full power to either approve or disapprove any and all applications made under this Act.

§ 3. The person, firm or corporation holding such permit may dig and remove sand and gravel from the bed or deposits named in the permit for the period of time allowed; Provided, the holder of such permit shall pay to the Commonwealth of Kentucky a tax of two cents per cubic yard for each cubic yard of washed sand or gravel so removed, and shall keep a record showing each day's removals, which shall be open to inspection at all times, and shall report, under oath, to the State Tax Commission quarterly the number of cubic yards of sand and gravel so removed for the previous quarter, and shall accompany said report with a check covering the tax due on such removal, which check shall be payable to the State Treasurer and shall be for the benefit of the general expenditure fund.

§ 4. Any person, firm or corporation removing any such sand or gravel without first obtaining the permit herein required; or, having obtained a permit, shall fail to keep the records or to make the reports herein required, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars nor more than one hundred dollars, and imprisoned in the county jail not less than five nor more than twenty days, or both so fined and imprisoned, in the discretion of the jury, and, upon conviction in any court, shall forfeit the permit granted by the Secretary of State and shall not be entitled to another permit for a period of twelve months from the date of conviction.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and defeated.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	W. L. Kimbrough	Lee Rogers
H. H. Barnes	Hebron Lawrence	B. A. Roth
Jo F. Bosworth	R. C. Marcum	H. G. Skiles
T. L. Caudel	I. S. Mason	R. Lee Stewart
A. S. Cooper	A. J. McCandless	T. R. Stults
J. S. Cruse	Homer C. McLellen	J. Wood Vance
B. J. Goehringer	Harry J. Meyers	Daniel Vose
D. J. Howard	Mack J. Morgan	Geo. C. Waggoner
Robt. Humphreys	Estill W. Neel	V. M. Williamson
R. O. Huntsman	J. L. Richardson	—29

Those who voted in the negative were—

Lon Adams	Adam W. Huff	John T. E. Stites
L. H. Ballard	J. W. Johnson	Frank L. Strange
S. M. Bennett	Griffin Kelly	J. Mack Thompson
Rodney G. Bryson	Frank Kennard	Dr. D. J. Travis
W. T. Carner	J. M. Knott	C. B. Truesdell
J. F. Carr	Dr. S. D. Laughlin	John L. Trumbo
H. C. Duffy	Elmer Lusby	Dr. T. R. Welch
Dr. T. H. Gamblin	R. L. McFerron	Gladstone Wesley
J. W. Geveden	Chas. A. Nelson	W. G. Wheeler
Dr. W. L. Gossett	B. F. Reynolds	R. E. Wilborn
A. F. Hanberry	Dr. B. F. Shields	W. N. Winn
E. C. Hardin	S. G. Smith	
Talbert Holliday	H. A. Spillman	—37

So said bill was defeated.

Mr. Huntsman moved that the vote by which said bill was defeated be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. No. 342. An Act to repeal Section 3484 of the Kentucky Statutes, Carroll's Edition 1915, and to enact the following in lieu thereof:

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3484 of the Kentucky Statutes, Carroll's Edition 1915, be and the same is hereby repealed and the following enacted in lieu thereof:

Sec. 3484. Mayor and Council Qualifications—Election.—The legislative power shall be vested in a Mayor and not less than six nor more than twelve councilmen as may be provided by ordinance; the members of the council shall be qualified voters of the city, residents of the ward for which they stand for at least six months prior to their election, if said city is divided into wards, hold no other civil office, nor be directly or indirectly interested in any contract with said city, nor be in arrears to said city for any money collected or withheld without settlement or quietus therefor. The absence of any of these qualifications shall render a person ineligible as a member of the said board; and it shall be the duty of the council so to declare and proceed to fill the vacancy. The Mayor and council shall be elected by the people and hold their office for four years, and the Mayor shall have the same qualifications as the members of the council.

Should any officer of said city be directly or indirectly interested as agent or principal in any contract with said city or as surety on any such contract he shall thereby vacate his office, and the contract if entered into before said officer vacates shall be null and void.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Lon Adams	Talbert Holliday	Joseph Lazarus
Sidney Alfrey	Adam W. Huff	R. C. Marcum
H. H. Barnes	Robt. Humphreys	I. S. Mason
S. M. Bennett	R. O. Huntsman	A. J. McCandless
Roy J. Cain	J. W. Johnson	R. L. McFerrer
W. T. Carner	Henry Kaufman	Homer C. McLellen
A. S. Cooper	Griffin Kelly	Harry J. Meyers
P. A. Day	Frank Kennard	Mack J. Morgan
B. J. Gochringer	W. L. Kimbrough	Estill W. Neel
J. W. Geveden	J. M. Knott	Chas. A. Nelson
A. F. Hanberry	Dr. S. D. Laughlin	T. C. Pryse
E. C. Hardin	Hebron Lawrence	J. L. Richardson

Sherman Robbins	Frank L. Strange	J. Wood Vance
H. G. Skiles	T. R. Stults	Daniel Vose
S. G. Smith	J. Mack Thompson	Gladstone Wesley
R. Lee Stewart	C. B. Truesdell	R. E. Wilborn
Wm. A. Stewart	John L. Trumbo	V. M. Williamson

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Those who voted in the negative were—

Rodney G. Bryson	Dr. W. L. Gossett	Elmer Lusby
J. F. Carr		

—4

Resolved that the title thereof be as aforesaid.

Mr. Holliday moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, reported the following bills, with the expression of opinion that same ought to pass; and moved that said bills be read the first time and placed in the calendar.

Said motion was agreed to.

Senate Bill No. 369, entitled, an Act providing for the manner of the making of all annual and biennial reports of the various departments, commissions and agencies of the State government, as now required by law, giving to the State Printing Commissioners power to determine what reports and what portions thereof shall be printed and distributed at public expense.

Senate Bill No. 69, entitled, an Act to repeal Chapter 85a, Section 2651a of Carroll's Statutes, entitled, "Mer-

chandise--To Regulate Sale of in Bulk," and to enact a law in lieu thereof to regulate the sales in bulk of stocks of merchandise or fixtures of stocks and fixtures and to prescribe penalties for the violation thereof.

Senate Bill No. 110, entitled, an Act making it unlawful for any person to cut off, erase, deface or in any manner remove from an automobile the manufacturer's serial number, or the serial number of the motor; providing penalty therefor, and providing that the ownership, possession or control of an automobile from which either of said serial numbers have been erased, defaced, cut off or removed, shall be *prima facie* evidence that same was done by the person owning, possessing or having control of said automobile.

Senate Bill No. 373, entitled, an Act to amend Section 3563, Kentucky Statutes, being Section 11 of an Act which became a law in the year 1916, being entitled, "An Act to amend and re-enact Sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, of the Kentucky Statutes, relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways and thoroughfares in cities of the fourth class," so as to require counties to pay for the cost of all improvements imposed by the City Ordinance upon the property of counties abutting upon streets in cities of the fourth class, to the same extent as other property owners.

Senate Bill No. 202, entitled, an Act to amend an Act entitled, "An Act to amend Section 6 of the Acts approved March 23, 1910, entitled 'An Act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant

children, and for the purpose of reducing truancy,''' being Chapter 121 of the Acts of 1916: and also to amend Sub-Section 7 of Section 2978c of the Kentucky Statutes (Edition of 1915), relating to the duties of truant officers.

Senate Bill No. 348, entitled, an Act relating to oil and natural gas; regulating the receipt of same into pipe lines, and the transportation and delivery thereof to consumers.

Senate Bill No. 321, entitled, an Act empowering the Board of Trustees of any graded common school district to condemn any land deemed necessary by said board, not exceeding ten acres, for a site for a graded common school, and providing the manner in which said land may be condemned.

Senate Bill No. 366, entitled, an Act amending Sub-Section 1 of Section 3643, Kentucky Statutes (Carroll's 1915 Edition), by eliminating from said section the words, "The cost of constructing or reconstructing the intersection or crossing of streets, avenues and highways shall be at the expense of the city."

Senate Bill No. 122, entitled, an Act for the benefit of the American Printing House for the Blind, and making an appropriation for it.

Senate Bill No. 175, entitled, an Act to grant immunity to all persons who have failed to assess intangible property in previous years, provided such property is assessed by the owner thereof for taxation as of July 1, 1920.

Senate Bill No. 271, entitled, an Act to amend and reenact Sections 3 and 4 of the Act approved March 18, 1912, (Chapter 112, Page 372, Acts of 1912), entitled: "An Act to repeal 'An Act providing for the creation, control and disposition of a fund to be used in pensioning, under cer-

tain conditions, policemen and the families of deceased policemen, in cities¹ of the first class,' approved March 3, 1904, and to provide for the appointment of trustees and the raising or creation, the management and disbursement of a fund to be employed in pensioning, under conditions provided, policemen and the families of deceased policemen in cities of the first class," said Sections 3 and 4 of said Act being Sub-Sections 3 and 4 of Section 2872-a, Kentucky Statutes, Carroll's Edition of 1915.

Senate Bill No. 272, entitled, an Act to amend and reenact Sections 3 and 4 of the Act approved March 18, 1912, (Chapter 122, Page 428, Acts of 1912), entitled, "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled, 'An Act to amend "An Act for the government of cities of the first class," approved July 1, 1893, for the better government, administration and disposition and discipline of the Fire Department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class;" said Sections 3 and 4 of said Act being Sub-Sections 17 and 18 of Section 2896-a of the Kentucky Statutes, Carroll's Edition of 1915.

Senate Bill No. 30, entitled, an Act to provide, except in certain cases, for the taking of testimony of witnesses orally in open court in suits of equity in Circuit Courts, other than those of continuous session; to provide for the keeping of an equity trial docket; and to allow the taking of depositions in such cases in certain exceptional instances and kinds of suits.

Senate Bill No. 223, entitled, an Act to amend an Act entitled, "An Act entitled an Act to amend Sections 854 to 878, both inclusive, of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll, and to regulate the organization, incorporation, operation and management of building and loan associations, creating the Department of Building and Loan Associations in the office of the Banking Commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth," of the Acts of 1918, by striking out of Section 865a the following: "Provided no loans shall be made upon paid-up, fully paid-up or matured stock."

Senate Bill No. 370, entitled, an Act providing for the appropriation of money for the construction and maintenance of a road leading from the Brownsboro road to the monument and grave of Zachary Taylor, in Jefferson County, Kentucky, and for placing in repair the grave of Zachary Taylor, and providing for the appointment by the Governor of a Commissioner to have charge of said work.

Senate Bill No. 156, entitled, an Act to amend Section Twenty-one (21), Chapter One (1), Title Three (3), of the Civil Code of Practice, providing for the bringing of actions by persons acting for others.

Senate Bill No. 344, entitled, an Act to amend and reenact Sub-Section 3 of Section 331e, of the Kentucky Statutes, Carroll's Edition, 1915, relating to the compensation of probation officers.

Senate Bill No. 261, entitled, an Act to abolish the office of Trustee of the Jury Fund, which shall become operative on and after the first Monday in January, 1922, and to require Clerks of the Circuit Courts of the several districts in this Commonwealth who shall be elected at the regular

November election in 1921, to perform thereafter all the duties required by the Trustee of the Jury Fund under the laws of this Commonwealth, and which duties shall become a part of the duties of the office of Circuit Clerks, with provision for compensation therefor.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Meyers moved that after the completion of the reading of the calendar for today the House shall adjourn until Monday, March 15, 1920, at 12 o'clock.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, moved that the calendar be read, and that the bills in the calendar be read by their titles only.

Said motion was agreed to.

Then the House took up for consideration from the calendar, bills of the following titles:

House Bill No. 356. An Act for the benefit of B. F. Welch, Arnold Bechsal and Thomas Rarden, of Jefferson County.

House Bill No. 277. An Act relating to the assessment of omitted intangible property with the County Clerk and also the assessment of other property with the County Clerk where such property has not been assessed by the County Tax Commissioner and prescribing his duties and methods of procedure.

House Bill No. 63. An Act to require Fiscal Courts to provide for payment of attorneys who are appointed by judges of courts throughout the Commonwealth of Kentucky to defend indigent persons.

House Bill No. 65. An Act to enlarge the duties of Quarterly Courts and relieve congested Circuit Courts.

Senate Bill No. 205. An Act to provide for the non-liability of common carriers of crude petroleum by pipe line, except in cases of such carrier disregarding an injunction; to provide for making all persons, firms and corporations interested in the subject matter, parties to such litigation; and to fix the burden of proof necessary to sustain an injunction against transportation or delivery.

Senate Bill No. 148. An Act to amend Section 493 of the Civil Code of Practice.

Senate Bill No. 324. An Act to amend and re-enact Section 518, Civil Code of practice, relating to the modification of judgment after term by court rendering it.

Senate Bill No. 361, entitled, an Act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

Senate Bill No. 150, entitled, an Act defining mattresses; regulating the making, re-making and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labeled; providing for the enforcement of the provisions of this Act; making certain acts criminal and punishing the same.

Senate Bill No. 138, entitled, an Act to amend and re-enact Chapter 162 of 1918 Acts of the Kentucky Legislature, which is an amendment to Section 4023 of the Kentucky Statutes, Carroll's Edition, 1915, relating to revenue and taxation.

Senate Bill No. 356, entitled, an Act to amend and reenact Section 3 of an Act of the 1918 session of the General Assembly of the Commonwealth of Kentucky, same being Chapter 7 of the Acts of 1918, and entitled: "An Act to accept the conditions of an Act of Congress of the United States, entitled, 'An Act to provide for the promotion of vocational education; to provide for co-operation with the States for the promotion of such education in agriculture and the trades and industries; to provide for co-operation with the States in the preparing of teachers for vocational subjects; and to appropriate money and regulate its expenditure;' and to provide for the inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the Act and to provide for the expenses of supervision and inspection of such schools maintaining courses in accordance with the aforesaid Federal Act."

Senate Bill No. 246, entitled, an Act to amend Section 328, Kentucky Statutes, Carroll's Edition of 1915.

Senate Bill No. 323, entitled, an Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto as to joint rates.

Said bills were severally read the second time by their titles and ordered to be placed in the Orders of the Day.

Then the House, at 4 p. m., pursuant to the motion of Mr. Meyers, adjourned to reconvene Monday, March 15, 1920, at 12 m.

MONDAY, MARCH 15, 1920.

The House was called to order at 12 m.

The House was opened with prayer by Father O'Dwyer, of the Catholic Church.

The roll call to ascertain the presence of a quorum resulted as follows, viz.:

Sidney Alfrey	Adam W. Huff	B. A. Roth
L. H. Ballard	Robt. Humphreys	Dr. Lewis Ryans
H. H. Barnes	R. O. Huntsman	Chas. R. Scott
W. T. Beckham	J. W. Johnson	W. P. Scott
S. M. Bennett	Henry Kaufman	E. E. Shannon
J. M. Billiter	Griffin Kelly	Dr. B. F. Shields
W. M. Boling	Frank Kennard	S. G. Smith
Rodney G. Bryson	W. L. Kimbrough	H. A. Spillman
Roy J. Cain	J. M. Knott	R. Lee Stewart
W. T. Carner	Dr. S. D. Laughlin	Wm. A. Stewart
J. F. Carr	Hebron Lawrence	John T. E. Stites
A. S. Cooper	Joseph Lazarus	T. R. Stults
B. L. Cox	Elmer Lusby	John W. Swope
J. S. Cruse	I. S. Mason	J. H. Thompson
P. A. Day	A. J. McCandless	Dr. D. J. Travis
H. N. Dean	R. L. McFerron	C. B. Truesdell
J. B. Denues	Homer C. McLellen	John L. Trumbo
J. M. Foster	Harry J. Meyers	J. Wood Vance
Dr. T. H. Gamblin	Mack J. Morgan	Fred C. VanHoose
J. W. Geveden	Estill W. Neel	Daniel Vose
A. L. Hamilton	Chas. A. Nelson	Geo. C. Waggoner
A. F. Hanberry	T. C. Pryse	A. M. Wash
E. C. Hardin	S. C. Ray	J. S. Webb
Dr. W. L. Haynes	B. F. Reynolds	W. G. Wheeler
Talbert Holliday	J. L. Richardson	V. M. Williamson
D. J. Howard	Sherman Robbins	W. N. Winn
A. R. Hudson	Lee Rogers	Dr. W. S. Yazell

On motion of Mr. Roth, the reading of the Journal of Saturday, March 13, 1920, was dispensed with and the Journal approved.

Mr. Bryson moved that today's session be extended indefinitely.

Said motion was agreed to.

Mr. Lazarus moved to suspend the rules and take up for consideration from the Orders of the Day House Bill No. 550.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. No. 550. An Act to amend and re-enact Section 22 of Chapter 14 of the Acts of the General Assembly of 1918, relating to the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 22 of Chapter 54 of the 1918 Acts of the General Assembly of Kentucky, relating to the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons, be and the same is hereby amended and re-enacted, so that when same is amended and re-enacted, it shall read as follows:

“Section 22. When Pensions May be Paid for Pauper Imbeciles.—Except as otherwise provided in the preceding

section, feeble-minded persons who are paupers, and who in the opinion of the court, may be safely and properly kept by a committee within the county, may, by an order of the court, be committed to the custody of a committee, or other person or institution. But no pension shall be granted for a period beyond July 1, 1922, upon any inquest held after the passage and taking effect of this Act."

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	H. N. Dean	R. O. Huntsman
H. H. Barnes	J. B. Denues	Henry Kaufman
W. T. Beckham	J. M. Foster	Griffin Kelly
W. M. Boling	Dr. T. H. Gamblin	W. L. Kimbrough
Jo F. Bosworth	A. F. Hanberry	Joseph Lazarus
Rodney G. Bryson	E. C. Hardin	I. S. Mason
Roy J. Cain	Dr. W. L. Haynes	A. J. McCandless
W. T. Carner	Talbert Holliday	R. L. McFerron
J. F. Carr	D. J. Howard	Homer C. McLellen
T. L. Caudel	Adam W. Huff	Harry J. Meyers
A. S. Cooper	Robt. Humphreys	Claude D. Minor

Estill W. Neel	H. G. Skiles	John L. Trumbo
S. C. Ray	S. G. Smith	Fred C. VanHoose
J. L. Richardson	H. A. Spillman	Daniel Vose
Sherman Robbins	R. Lee Stewart	Geo. C. Waggoner
B. A. Roth	Wm. A. Stewart	A. M. Wash
Dr. Lewis Ryans	John T. E. Stites	J. S. Webb
Chas. R. Scott	T. R. Stults	Dr. W. S. Yazell
W. P. Scott	J. H. Thompson	—56

Those who voted in the negative were—

L. H. Ballard	Elmer Lusby	Dr. B. F. Shields
J. W. Johnson	Chas. A. Nelson	J. Mack Thompson
Frank Kennard	B. F. Reynolds	W. G. Wheeler
J. M. Knott	Lee Rogers	
Hebron Lawrence	E. E. Shannon	—13

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus moved that the rules be suspended and that the House take up for consideration House Bill No. 161.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. No. 161. An Act to amend and re-enact Section 21, Chapter 112 and repeal Section 24, Chapter 112, Acts of 1918, relating to dogs and live stock.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 21, Chapter 112, Acts 1918, be amended by striking out the sentence: "Any dog that enters any field unaccompanied by its owner shall constitute a private nuisance, and the owner or tenant of such field, or their agent or servant, may kill such dog, while it is in the field, without liability or responsibility, of any nature for such killing." So that said section when so amended will read as follows, viz.: Section 21. Any person may kill any dog which he sees in the act of pursuing, worrying or wounding any live stock, or attacking human beings, whether or not such dog bears the license tag required by the provisions of this Act. There shall be no liability on such person in damage or otherwise for such killing.

Licensed dogs when accompanied by their owner or handler shall not be included under the provisions of this section unless caught in the act of worrying, wounding or killing any livestock, or attacking human beings.

§ 2. That Section 24, Chapter 112, Acts 1918, be and is hereby repealed in its entirety.

Said section reads as follows: "The owner or keeper of every dog shall keep at all times between sunset and sunrise of each day, such dog either (a) confined within an enclosure from which it cannot escape, or (b) firmly secured by means of a collar and chain, or block attached, or other device so that it cannot stray beyond the premises on which it is secured, or (c) under the reasonable control of some person, or when engaged in lawful hunting accompanied by an owner or handler.

"Any dog found or discovered off the premises of the owner between sunset and sunrise, unaccompanied by the owner, shall be considered as being an unlicensed dog and may be killed by the one so finding said dog or dogs, un-

less such person so finding such dog shall elect to hold him and then turn him over to the sheriff or deputy sheriff for impounding as provided in Sections 18 and 19 hereof."

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	J. W. Johnson	Lee Rogers
L. H. Ballard	Henry Kaufman	B. A. Roth
S. M. Bennett	J. M. Knott	E. E. Shannon
Roy J. Cain	Hebron Lawrence	S. G. Smith
W. T. Carner	Joseph Lazarus	Wm. A. Stewart
J. F. Carr	I. S. Mason	T. R. Stults
A. S. Cooper	A. J. McCandless	C. B. Truesdell
J. B. Denues	R. L. McFerron	John L. Trumbo
J. M. Foster	Homer C. McLellen	Daniel Vose
B. J. Goehringer	Mack J. Morgan	A. M. Wash
J. W. Geveden	Estill W. Neel	J. S. Webb
A. F. Hanberry	Chas. A. Nelson	Gladstone Wesley
Dr. W. L. Haynes	T. C. Pryse	R. E. Wilborn
Talbert Holliday	S. C. Ray	Dr. W. S. Yazell
A. R. Hudson	J. L. Richardson	
R. O. Huntsman	Sherman Robbins	

Those who voted in the negative were—

W. T. Beckham	D. J. Howard	W. P. Scott
W. M. Boling	Griffin Kelly	Dr. B. F. Shields
Rodney G. Bryson	Frank Kennard	H. G. Skiles
J. S. Cruse	W. L. Kimbrough	H. A. Spillman
H. N. Dean	Elmer Lusby	John T. E. Stites
Dr. W. L. Gossett	Claude D. Minor	John W. Swope
A. L. Hamilton	B. F. Reynolds	J. Mack Thompson
E. J. Hardin	Clas. R. Scott	J. H. Thompson

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration Senatè Bill No. 358.

Then the House took up for consideration from the Orders of the Day a bill entitled:

Senate Bill No. 358. An Act authorizing the Governor to appoint a commissioner to go to England and accept and receive from the British Government the battle flag of the Kentucky troops captured by the British forces in the battle of the River Raisin, and to bring and deliver same to the Governor of this Commonwealth, and making an appropriation therefor.

Said bill reads as follows:

Whereas, at the battle of the River Raisin, in the War of 1812, the battle flag of the Kentucky troops engaged in that

action was captured by the British forces; and, whereas, the British Government has expressed a willingness and desire to return this battle flag to the State of Kentucky, to be kept in its historical archives; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Governor is authorized to appoint a commissioner to go to England to accept and receive from the British Government the battle flag of the Kentucky troops, captured by the British forces in the battle of the River Raisin, and to bring and deliver same to the Governor of this Commonwealth.

§ 2. That there is hereby appropriated for the payment of the necessary expenses of said commissioner, out of the funds not otherwise appropriated, the sum of three thousand dollars, and the said amount, or such part as may be necessary, shall be paid by warrant of the Auditor drawn upon the State Treasurer, when said account for expenses shall have been approved by the Governor.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	R. O. Huntsman	W. P. Scott
L. H. Ballard	J. W. Johnson	Dr. B. F. Shields
W. T. Beckham	Henry Kaufman	H. G. Skiles
S. M. Bennett	Griffin Kelly	S. G. Smith
W. M. Boling	Frank Kennard	H. A. Spillman
Roy J. Cain	J. M. Knott	R. Lee Stewart
W. T. Carner	Hebron Lawrence	Wm. A. Stewart
J. F. Carr	Joseph Lazarus	John T. E. Stites
T. L. Caudel	Elmer Lusby	T. R. Stults
A. S. Cooper	I. S. Mason	Dr. D. J. Travis
B. L. Cox	R. L. McFerron	C. B. Truesdell
J. S. Cruse	Claude D. Minor	John L. Trumbo
H. N. Dean	Mack J. Morgan	J. Wood Vance
J. B. Denues	Estill W. Neel	Daniel Vose
J. M. Foster	T. C. Pryse	A. M. Wash
Dr. T. H. Gamblin	S. C. Ray	J. S. Webb
B. J. Goehringer	B. F. Reynolds	Gladstone Wesley
Dr. W. L. Gossett	J. L. Richardson	W. G. Wheeler
A. F. Hanberry	Sherman Robbins	W. N. Winn
E. C. Hardin	B. A. Roth	Dr. W. S. Yazell
D. J. Howard	Dr. Lewis Ryans	
Robt. Humphreys	Chas. R. Scott	

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Those who voted in the negative were—

A. J. McCandless	Chas. A. Nelson	E. E. Shannon
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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration Senate Bill No. 166.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 166. An Act to provide physical education and training for all pupils in the common, graded, State Normal and all other public schools of Kentucky, supported wholly or in part by the State and prescribing the methods of carrying the same into effect.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Kentucky State Board of Education shall prescribe a course of study in physical education for all common schools of the State, and shall fix the time when said course shall go into effect. This course shall occupy periods totaling not less than thirty minutes each school day which shall be devoted to instruction in health and safety, to physical exercises and to recess play under proper supervision.

A manual setting out the detail of said course of study shall be prepared by the Superintendent of Public Instruction in co-operation with the State Board of Health of Kentucky and such other expert advisers as he may choose.

Said manual when published shall be sent by said Kentucky State Board of Education to the teachers of the common schools in the State of Kentucky.

§ 2. The curriculum of all State Normal Schools of Kentucky and of all other institutions in the State supported wholly or in part by public funds, having special courses adopted for the preparation of teachers, shall contain one or more courses in physical education, and after the first day of July nineteen hundred twenty-one, each person graduating from a teacher's course in any of these institutions shall have completed one or more courses in physical education.

§ 3. County boards of education, boards of education of cities and of graded common school districts may employ supervisors and special teachers of physical education in the same manner as other teachers are employed, provided they possess such qualifications as the State Board of Education may prescribe. Boards of education of two or more school districts, city, graded school, or county, may jointly employ a supervisor or special teacher of physical education. Boards of education may allow the use of school buildings and school grounds after regular school hours and during vacations as community centers for the promotion of play and other healthful forms of recreation, under such rules and regulations as to them may seem proper.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	W. T. Carner	J. S. Cruse
L. H. Ballard	J. F. Carr	H. N. Dean
S. M. Bennett	T. L. Caudel	J. B. Denues
W. M. Boling	A. S. Cooper	B. J. Goehringer
Rodney G. Bryson	B. L. Cox	J. W. Geveden

Dr. W. L. Gossett	Mack J. Morgan	Frank L. Strange
A. F. Hanberry	Estill W. Neel	John W. Swope
E. C. Hardin	Chas. A. Nelson	J. H. Thompson
Dr. W. L. Haynes	S. C. Ray	Dr. D. J. Travis
D. J. Howard	B. F. Reynolds	C. B. Truesdell
A. R. Hudson	J. L. Richardson	John L. Trumbo
Adam W. Huff	Sherman Robbins	Fred C. VanHoose
Robt. Humphreys	Lee Rogers	Daniel Vose
J. W. Johnson	B. A. Roth	Geo. C. Waggoner
Henry Kaufman	Dr. Lewis Ryans	A. M. Wash
W. L. Kimbrough	Chas. R. Scott	J. S. Webb
J. M. Knott	W. P. Scott	Dr. T. R. Welch
Joseph Lazarus	E. E. Shannon	Gladstone Wesley
I. S. Mason	Dr. B. F. Shields	W. G. Wheeler
R. L. McFerron	S. G. Smith	R. E. Wilborn
Harry J. Meyers	R. Lee Stewart	Dr. W. S. Yazell
Claude D. Minor	John T. E. Stites	—65

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, Senate Bill No. 199.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 199. An Act authorizing consolidated school districts and county boards of education to issue bonds for the purpose of providing funds for purchasing grounds and constructing buildings for school purposes.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any County Board of Education may provide funds for purchasing suitable grounds and buildings, or for erecting and repairing suitable buildings, and for other expenses needful in conducting a consolidated school in their county; and to this end they may use such part of the proceeds of said tax as they deem necessary, and it shall be the duty of said Board of Education, and if, in their opinion, it be necessary, they are hereby authorized and empowered to order an election and submit to the voters of any consolidated school district the question whether or not they shall issue bonds of their respective consolidated school districts, in any amount not exceeding the limit provided by Section 157 (one hundred fifty-seven) and 158 (one hundred fifty-eight) of the present Constitution of this State, for the purpose of providing suitable grounds, school buildings, furniture and apparatus for their respective consolidated districts; Provided, that due notice of said election shall be given by the County Board of Education, by written or printed posters not less than one foot square, signed by the chairman and secretary of the County Board of Education stating the time and place and hours of the said election, posted at not less than six public, conspicuous places in the district for ten days previous to the day of the election, and by one insertion thereof in the newspaper, if any, published in said county.

§ 2. The board shall appoint two judges, a clerk and a sheriff to hold such election, who shall be first duly sworn before acting, and shall be housekeepers and taxpayers, resident in the district for which they are appointed, and one of the judges shall ask of each voter: "Are you in favor of the issue of bonds by the County Board of Education for this district, for the purpose of providing suitable grounds, school buildings, furniture and apparatus for this district?" and the

clerk shall record the answer, "Yes," or "No," as given by the voter. If two-thirds of the voters voting at said election vote in favor of the issue of the bonds, then the County Board of Education of such consolidated district may issue the bonds of said district for an amount not exceeding the constitutional limit and in conformity with the Constitution of this State.

And for the purpose of meeting the interest on such bonds and creating a sinking fund for the payment of the principal thereof, the County Board of Education acting for the district where the issue of such bonds is voted, is authorized and empowered to levy annually a tax in addition to that already voted, which shall not increase the tax rate for school purposes in such district to more than one dollar (\$1.00) on each one hundred dollars (\$100.00) worth of taxable property within the district.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Rodney G. Bryson	J. F. Carr
L. H. Ballard	Roy J. Cain	T. L. Caudel
S. M. Bennett	W. T. Carner	A. S. Cooper

B. L. Cox	I. S. Mason	Wm. A. Stewart
P. A. Day	A. J. McCandless	John T. E. Stites
H. N. Dean	R. L. McFerron	Frank L. Strange
J. B. Denues	Harry J. Meyers	John W. Swope
B. J. Goehringer	Claude D. Minor	J. Mack Thompson
J. W. Geveden	Mack J. Morgan	J. H. Thompson
A. F. Hanberry	Estill W. Neel	Dr. D. J. Travis
Dr. W. L. Haynes	Chas. A. Nelson	C. B. Truesdell
A. R. Hudson	S. C. Ray	John L. Trumbo
Adam W. Huff	J. L. Richardson	J. Wood Vance
R. O. Huntsman	Lee Rogers	Daniel Vose
J. W. Johnson	Dr. Lewis Ryans	Geo. C. Waggoner
Henry Kaufman	Chas. R. Scott	A. M. Wash
Frank Kennard	W. P. Scott	Dr. T. R. Welch
J. M. Knott	E. E. Shannon	Gladstone Wesley
Hebron Lawrence	H. G. Skiles	R. E. Wilborn
Joseph Lazarus	S. G. Smith	W. N. Winn
R. C. Marcum	R. Lee Stewart	Dr. W. S. Yazell

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, Senate Bill No. 311.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 311. An Act to enable any city of the first class to provide for constructing, erecting, and equipping buildings and grounds of the college of arts and sciences of its municipal university.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any city of the first class in the State of Kentucky having a municipal university is hereby empowered to provide for the constructing, erecting, and equipping of buildings and grounds for the college of arts and sciences of such municipal university.

§ 2. In order to provide money for such construction, erection and equipment, the general council may adopt an ordinance submitting to the voters of the city at any regular election held in the city, the question whether bonds of the city shall be issued for the purpose of carrying out the work herein provided for. The ordinance shall provide the date and maturity of such bonds, the rate of interest they shall bear and the total amount to be then issued, and the ordinance shall also contain the necessary details with reference to the execution and delivery of said bonds, their denomination, coupons to be annexed, taxes to be levied to pay the interest and a sinking fund to retire such bonds at maturity. The total amount of bonds to be issued under this Act shall not exceed one million*(\$1,000,000.00) dollars.

§ 3. If the voters of the city shall determine that said bonds shall be issued, they shall when so issued, be placed under the control of the president and trustees of such university, who shall determine when and at what price they shall be sold. Provided that no bonds shall be sold for less than par and provided further that any premium which may be obtained from said bonds shall constitute a part of the sinking fund for their ultimate redemption. If the said bonds are sold their proceeds shall go to the credit of such university in the same depositories as are selected for the deposit of the funds of the sinking fund commissioners of the city and upon the same agreement as to interest, and shall be withdrawn

upon the checks of the treasurer of the university, countersigned by the president thereof.

§ 4. The president and treasurer of the university shall each give bond with approved surety in such sum as may be fixed by the general council, which bond shall be payable to the university and oblige the makers thereof to perform faithfully the duties of their respective offices and faithfully account for and pay over all money or other thing of value which may come into their respective hands. Such bonds shall be kept in force during the time any of the money herein provided for is being handled or administered by the university or its officers.

§ 5. The money derived from said bonds shall be used by the president and trustees of the university for the purpose of constructing, erecting, and equipping the buildings and grounds for the college of arts and sciences of the university.

§ 6. In doing the work provided for under this Act the president and trustees of the university shall have power to employ such person or persons as they may deem necessary, including architects and other technical advisers.

§ 7. The work herein provided for may be done by contract or contracts, or otherwise, in the discretion of said president and trustees. When any contract shall involve the expenditure of two thousand (\$2,000.00) dollars or more it shall be awarded to the lowest and best bidder. All bids or parts of bids for any such work or for any supplies may be rejected by said president and trustees. The president and trustees may do any part or parts of this work by day labor, when deemed advisable.

§ 8. The president and trustees of the university shall annually report to the mayor and the general council of the city, what they do under this Act and account for all funds received by them.

§ 9. A municipal university, within the meaning of this Act, is a university established or supported in whole or

in part by funds raised by municipal taxation and controlled by a Board of Trustees appointed by the mayor and general council of such municipal corporation and consisting of departments united under one organization or management, affording instruction in the arts, sciences and professions, and conferring degrees.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Roy J. Cain	J. W. Johnson	T. C. Pryce
J. F. Carr	Henry Kaufman	J. L. Richardson
T. L. Caudel	W. L. Kimbrough	Sherman Robbins
J. S. Cruse	Hebron Lawrence	Lee Rogers
P. A. Day	Joseph Lazarus	B. A. Roth
H. N. Dean	Elmer Lusby	Dr. Lewis Ryans
B. J. Goehringer	R. C. Marcum	Chas. R. Scott
A. F. Hanberry	I. S. Mason	W. P. Scott
Dr. W. L. Haynes	A. J. McCandless	E. E. Shannon
A. R. Hudson	Harry J. Meyers	H. G. Skiles
Adam W. Huff	Claude D. Minor	S. G. Smith
Robt. Humphreys	Estill W. Neel	R. Lee Stewart
R. O. Huntsman	Chas. A. Nelson	Frank L. Strange

T. R. Stults	John L. Trumbo	Gladstone Wesley
John W. Swope	Fred C. VanHoose	R. E. Wilborn
J. Mack Thompson	Daniel Vose	W. N. Winn
J. H. Thompson	A. M. Wash	Dr. W. S. Yazell
Dr. D. J. Travis	J. S. Webb	
C. B. Truesdell	Dr. T. R. Welch	

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, Senate Bill No. 356.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 356. An Act to amend and re-enact Section 3 of an Act of the 1918 session of the General Assembly of the Commonwealth of Kentucky, same being Chapter 7, of the Acts of 1918, and entitled: "An Act to accept the conditions of an Act of Congress of the United States, entitled 'An Act to provide for the promotion of vocational education; to provide for co-operation with the States for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the States in the preparing of teachers for vocational subjects; and to appropriate money and regulate its expenditure;' and to provide for the inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the Act and to provide for the expenses of supervision and inspection of such schools maintaining courses in accordance with the aforesaid Federal Act."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3 of Chapter 7 of the Acts of the 1918 General Assembly of the Commonwealth of Kentucky, entitled: "An Act to accept the conditions of an Act of Congress of the United States entitled 'An Act to provide for the promotion of vocational education; to provide for co-operation with the States for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the States in the preparing of teachers for vocational subjects; and to appropriate money and regulate its expenditure;' and to provide for the inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the Act and to provide for the expenses of supervision and inspection of such schools maintaining courses in accordance with the aforesaid Federal Act," be amended and re-enacted so that said section, when so amended and re-enacted shall read as follows:

"Section 3. Inspection of schools receiving the benefits of the Act of Congress aforesaid, and which have established courses of vocational education in agriculture, home economics and trades and industries, etc., as provided in said Act shall be made by and under an inspector appointed by the vocational education board and he shall be subject to and under the direction and control, and be responsible to the said vocational education board. It shall be his duty to report to the Superintendent of Public Instruction and the vocational education board the result of his inspections. The said inspector may appoint such assistants as may be necessary for the proper performance of his duties, subject to the approval of the vocational education board."

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	Henry Kaufman	W. P. Scott
H. H. Barnes	W. L. Kimbrough	E. E. Shannon
Rodney G. Bryson	Dr. S. D. Laughlin	H. G. Skiles
Roy J. Cain	Hebron Lawrence	S. G. Smith
W. T. Carner	Joseph Lazarus	R. Lee Stewart
J. F. Carr	Elmer Lusby	John T. E. Stites
T. L. Caudel	R. C. Marcum	Frank L. Strange
A. S. Cooper	I. S. Mason	T. R. Stults
J. S. Cruse	R. L. McFerron	Dr. D. J. Travis
P. A. Day	Claude D. Minor	C. B. Truesdell
J. B. Denues	Mack J. Morgan	John L. Trambo
B. J. Goehringer	Estill W. Neel	Daniel Vose
A. F. Hanberry	Chas. A. Nelson	A. M. Wash
E. C. Hardin	J. L. Richardson	Gladstone Wesley
Dr. W. L. Haynes	Sherman Robbins	R. E. Wilborn
A. R. Hudson	B. A. Roth	V. M. Williamson
Adam W. Huff	Dr. Lewis Ryans	W. N. Winn
J. W. Johnson	Chas. R. Scott	Dr. W. S. Yazell

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There voted in the negative—

J. Mack Thompson

—1

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, Senate Bill No. 206.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 206. A Bill providing for the establishment of an independent consolidated graded and high school.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whenever it becomes desirable on account of economical, geographical, educational or other conditions to establish an independent consolidated school, composed of one or more graded schools and other adjoining common school subdistrict or subdistricts, it shall be the duty of the county judge of the county in which such district is situated, or of each county in which such district is situated, upon the petition of twenty-five per cent of the legal voters, who are taxpayers in the proposed district to make an order on his order book, at the next regular term of his court after he receives said petition, fixing the boundary of any proposed independent consolidated graded and high school district, as agreed upon by the county judge and the petitioners, and directing the sheriff or other officer whose duty it may be to hold the election, to open a poll in said proposed independent consolidated graded and high school district, at the next regular State, county or district election to be held therein, or on any other date fixed by said judge in said order, not in any case

earlier than forty days from the date of said order, for the purpose of taking the sense of the legal voters in the said proposed independent consolidated graded and high school district, upon the proposition whether or not they will vote an annual tax in any sum named in the said order, not exceeding one hundred cents on each one hundred dollars' worth of property assessed in said proposed independent consolidated graded and high school district, belonging to the said white voters or corporations, or a poll tax in any sum not exceeding one dollar and fifty cents per capita on each white male inhabitant over twenty-one years of age residing in the said independent consolidated graded and high school district, or both ad valorem and poll tax, if so stated in the order, for the purpose of maintaining a graded and high school in said independent consolidated graded and high school district, and for erecting, purchasing, or repairing suitable buildings thereto; and for purchasing, repairing or equipping conveyances for children to and from the school building in said independent consolidated graded and high school district; and for the equipping of school building and the employment of drivers for conveyances and teachers for the schools; Provided, that the proposition to establish any independent consolidated graded and high school district as provided in this section, is approved by the county board of education and the county superintendent of common schools in writing, on the petition to the county judge; and that the boundary may be extended beyond two and one-half miles from the site of the school building, and that suitable conveyance be furnished the pupils in said independent consolidated graded and high school from their homes or from appropriate places near their homes along the main thoroughfares to the school building, and that the site of the school building and the boundaries in the said district are set out with exactness in said petition. Such independent consolidated graded and high schools shall further be subject to the rules and regulations governing graded common schools.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	Dr. S. D. Laughlin	H. G. Skiles
H. H. Barnes	Hebron Lawrence	S. G. Smith
S. M. Bennett	Joseph Lazarus	R. Lee Stewart
W. M. Boling	Elmer Lusby	John T. E. Stites
Roy J. Cain	R. C. Marcum	Frank L. Strange
W. T. Carner	I. S. Mason	John W. Swope
J. F. Carr	A. J. McCandless	J. Mack Thompson
T. L. Caudel	R. L. McFerron	Dr. D. J. Travis
A. S. Cooper	Mack J. Morgan	C. B. Truesdell
P. A. Day	Estill W. Neel	John L. Trumbo
J. B. Denues	Chas. A. Nelson	J. Wood Vance
B. J. Goehringer	T. C. Pryse	Daniel Vose
Dr. W. L. Haynes	S. C. Ray	A. M. Wash
Adam W. Huff	J. L. Richardson	J. S. Webb
Robt. Humphreys	Sherman Robbins	Dr. T. R. Welch
Henry Kaufman	Lee Rogers	Gladstone Wesley
Griffin Kelly	B. A. Roth	R. E. Wilborn
Frank Kennard	Dr. Lewis Ryans	V. M. Williamson
W. L. Kimbrough	Chas. R. Scott	W. N. Winn
J. M. Knott	W. P. Scott	Dr. W. S. Yazell

Those who voted in the negative were—

Dr. W. L. Gossett J. W. Johnson

—2

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, Senate Bill No. 359.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 359. An Act to provide for the construction and maintenance, in cities of the first class, of memorials in honor of the soldiers and sailors furnished by such cities and the counties wherein situated, to the United States Army and Navy during the recent World War; providing for the voting of a bond issue in such cities, and for the acceptance of gifts and donations, for such purposes; partially repealing Section 2827, Kentucky Statutes; and for related purposes, including the creation of a Memorial Commission in such cities.

Said bill reads as follows:

Whereas, it appears that in the City of Louisville, Jefferson County, a first class city of this Commonwealth, the citizens desire to erect an appropriate memorial to the soldiers and sailors furnished by said city and county to the Army and Navy of the United States, and who rendered service in behalf of the nation and the flag in the recent World War; and that in order to construct and maintain a suitable memorial in said city, an appropriate enabling act must be enacted permitting the raising of funds therefor by a bond issue, to be

voted in said city, and by gifts and donations; and that a suitable commission must be created to handle such funds, and to construct and maintain such memorial; now, therefore:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Memorial Commission—Members—Appointment—Terms—Powers—No Compensation. The Mayor of any city of the first class in this Commonwealth is hereby authorized and empowered to appoint seven (7) persons who shall constitute a memorial commission, hereinafter referred to as “Commission.” Each such member shall not be less than twenty-five (25) years of age, and shall be a bona fide resident of the county wherein such city is situated. Such appointments shall be subject to the approval of the Board of Aldermen for such city. Said Commission shall be a body politic and corporate, and shall be known as “..... (name of city) Memorial Commission;” and in such corporate name, said Commission may sue and be sued, contract and be contracted with, adopt a seal, and alter same at pleasure; acquire real and personal property by gift, purchase, or condemnation; and may do all other things which may be reasonable or necessary to effectively carry out the work, and to properly perform the duties, intended or required by this Act. Two of said members shall be appointed for terms of six years each, and their successors shall be appointed for terms of seven years each; two of said members shall be appointed for terms of seven years each, and their successors shall be appointed for terms of seven years each; and three of said members shall be appointed for terms of eight years each, and their successors shall be appointed for a term of seven years each. If any vacancy occurs in any membership of said Commission under the initial appointment herein authorized to be made by such Mayor, such vacancy shall be filled by like appointment by such Mayor, and subject to the like approval of said Board of Aldermen; and the person appointed to fill any such

vacancy, shall serve out the term for which the original appointment was made. At the expiration of the terms of the two members of said Commission appointed by the Mayor to serve terms of six years each, the remaining members of the Commission shall thereupon elect two members to serve terms of seven years each; and upon the expiration of the terms of the two members appointed by the Mayor to serve for terms of seven years each, the remaining members of the Commission shall thereupon elect two members to serve for terms of seven years each; and upon the expiration of the terms of the three members appointed by the Mayor as aforesaid for terms of eight years each, the remaining members of the Commission shall thereupon elect three members to serve for terms of seven years each; and thereafter, all members of the Commission shall be elected for terms of seven years each; such elections to be made in all cases by the remaining members of the Commission, in manner aforesaid. All vacancies in the terms of such members so elected by the Commission, shall be filled in like manner by the remaining members of the Commission, and the members thus selected shall serve for the remainder of the terms for which they are respectively chosen. The members of said Commission shall serve without compensation, but shall be allowed their necessary expenses in travel when engaged on the business of the Commission.

§ 2. Officers of the Commission—The said Commission, upon the appointment of its members, shall organize and elect officers. It shall elect a chairman from its members, to serve for the term of one (1) year, and it shall annually thereafter elect a chairman. The Commission may elect a secretary and treasurer, not a member of the Commission, who shall hold the combined office at the pleasure of the Commission, and may receive a salary to be fixed by the Commission, not exceeding twenty-five hundred dollars (\$2500.00) per annum, to be paid by the Commission. If, and when, the bonds herein provided for shall be voted, the Commission may elect a Superintendent of Construction. This officer must be

a draftsman, experienced in, and familiar with, fire-proof construction and the erection of large buildings and their mechanical equipment, and experienced in reading and executing architect's plans and specifications. He shall give his entire attention to the affairs of the Commission, and shall receive as compensation a salary to be fixed and paid by the Commission, not exceeding five thousand dollars (\$5,000.00) per annum. He shall serve and be removable, at the pleasure of the Commission. The Commission is also empowered to select such other officers or employees as it may deem necessary to properly carry on the work of the Commission hereunder, to serve at the pleasure of the Commission; and the Commission shall fix the compensation of such additional officers and employees

§ 3. Further Powers of Commission—Said Commission shall have full power and authority to carry out the purposes of this Act, among which powers shall be the following, the enumeration of which shall in no wise be construed as restricting the scope of the general powers conferred on it by this Act. to-wit.:

(a) To make all such preliminary investigations, and to do all such preliminary work as, and in its judgment should precede the actual construction and equipment of the memorial structures herein named.

(b) To choose an appropriate site for such memorial structures, and the plans for such structures, as herein provided, and to arrange for and supervise the laying out of the necessary grounds and the construction of the said structures, and the maintenance of said grounds and structures for the purposes of this Act.

(c) To exact from any of its officers or employees, where provision is not otherwise made herein therefor, such surety or indemnity bonds for the appropriate performance of their respective duties as the Commission may deem proper.

(d) To establish and enforce such reasonable rules and regulations for its own government, and for the construction, supervision, protection, management, and conduct of its work and the maintenance of the said memorial structures, and for the cost thereof, as it may deem proper, and the same, to the extent they are not in conflict with law shall have the force of law.

(e) To make and enter into, in its corporate name, any and all contracts, agreements or stipulations, germane to the scope of its duties, or in accordance with the purposes of this Act.

§ 4. Bonds of Officers—The Chairman, Superintendent of Construction, and the Secretary and Treasurer of the Commission, shall each give bond with approved surety, in such sum as may be fixed by the Commission; which bond shall be payable to the Commission, and shall oblige the makers thereof to faithfully perform the duties of their several offices, and to faithfully account for, and pay over, all money or other things of value which may come into their several hands. The premiums for said bonds shall be paid by the Commission.

§ 5. What Shall Constitute the Memorial—The said Commission is hereby empowered and directed, when the funds herein provided for are rendered available to acquire suitable grounds for the construction of, and to construct, and to cause to be constructed thereon, an adequate and appropriate memorial building or buildings and statuary and works of memorial art, to commemorate the valorous and patriotic deeds and service of the soldiers and sailors of the city and county wherein such Commission shall act, who were engaged in the Army and Navy of the United States during the recent World War. Said memorial shall be permanent in character, and shall take the form of a building, or buildings, with halls and auditoriums ample for both large and small assemblages, conventions, large theatrical, musical and other entertainments, and with suitable offices, rooms, and equip-

ment to properly maintain and operate such building, or buildings, and, also, appropriate statuary and works of memorial art, and all grounds necessary or appropriate for such purposes, all of which grounds, buildings, statuary, and works of art, shall, for the purposes of this Act be embraced by the term "Memorial." The said Commission may maintain in said Memorial such flags, insignia, mementoes, records, and archives of the said War, or of historical significance in connection therewith, as may fittingly exemplify or illustrate the patriotic services rendered the United States in said War by the aforesaid soldiers and sailors, as well as by the citizens and residents of such city and county who were not engaged in the military or naval service of the United States during said war. Said memorial, and all property acquired by said Commission, shall belong to said city.

§ 6. Acquisition of Property—Condemnation—Said Commission may acquire, by gift, purchase, lease, or by condemnation, any land or property situated wholly within such city or county, or any interest, franchise, easement, right, or privilege, in said city or county, or any buildings, tools, machinery, materials or supplies, which may be required for the purpose of constructing, furnishing, maintaining, or operating such memorial. The method of condemnation shall be conducted in the name of the Commission similar to the procedure prescribed by Section 2852, Kentucky Statutes, for the condemnation of property for park purposes for cities of the first class. All property acquired by the Commission shall be held, used, owned, and controlled by it, for the purposes named in this Act.

§ 7. Investigation—Plans—The purpose of this Act being to provide for the construction, equipment, and maintenance of such memorial, it shall be the duty of the Commission to make, and to cause to be made, such investigation as may be necessary to enable it to determine the best plans for erecting, acquiring, and furnishing such memorial. The Commission shall have the power to employ an architect or archi-

pects to submit plans for the construction and equipment of such memorial, and to attend to the carrying out of the same, and to pay reasonable compensation therefor: Provided, however, that no compensation shall be paid any such architect or architects until, nor unless, the bonds provided for in this Act shall be voted.

§ 8. Report and Approval of Plans—When the Commission shall have determined upon the general plans for the construction and equipment of said memorial, a full report of such plans, together with a statement of the probable cost of carrying out such plans, shall be submitted by the Commission to the aforesaid Mayor. Thereupon, when such plans or same as modified by the Commission, are approved by the Mayor, same shall be declared formally adopted, and shall be carried out agreeably to the provisions of this Act.

§ 9. Bids for Work—All work to be done, or supplies or materials to be purchased, in carrying out the purposes of this Act, when involving an expenditure of five hundred dollars (\$500.00) or more, shall be, by contract, awarded to the lowest and best bidder; but the Commission shall have the right to reject any bid; and it is also empowered to do any part or parts of such work, under such conditions as it may prescribe, by day labor, or by other non-contract method, whenever the Superintendent of Construction, in writing, shall recommend that course, or whenever, in its judgment, this is the best method to pursue. This section shall not be construed, however, as limiting the power of the Commission in the employment of architects, employes, clerks, or agents, as in this Act provided.

§ 10. Report of Completion of Memorial—After the aforesaid memorial is completed and duly equipped, the Commission shall report such fact to the Mayor who shall thereupon transmit said report to the General Council of such city; and the General Council, by appropriate ordinance or resolution, shall, so soon as it is satisfied that said memorial is satisfactorily completed and ready for use as intended by this

Act, formally declares such fact; and upon said ordinance or resolution being approved by the Mayor, or otherwise becoming effective as provided by law, it shall thenceforth be the duty of the General Council to annually make the tax levy for the maintenance of the aforesaid memorial structure to the extent, and as, in this Act provided.

§ 11. Tax for Maintenance—For the purpose of providing necessary funds for maintaining such memorial and for carrying on the work of the Commission after such memorial is completed, the General Council of such city is empowered and directed to annually levy and collect a tax not exceeding one cent (1c) on each one hundred dollars (\$100.00) worth of taxable property in such city as determined by the last regular assessment of such city; and the taxes so levied shall be collected in the customary way and shall be paid over to said Commission for the purpose named in this section; provided, however, that if it shall appear from the report or statement of the Commission that funds received by gift, or from earnings of the memorial, available for maintenance of the memorial for any fiscal year, are fully adequate therefor, after deductions therefrom are made as herein provided, the said tax levy for such year may be withheld by the General Council.

§ 12. Limit of Maintenance Expenditure—Except with the approval of such General Council the Commission shall not incur, for maintenance purposes of the memorial, or permit the incurrence of, any liability or expense, exceeding the total funds derived, or to be derived, for any fiscal year, thru the levying and collection, for such purpose, of the aforesaid taxes for such year, supplemented by income from the memorial, and by any gifts or donations in money, or property reduced to money, which may be made to the Commission for maintenance purposes.

§ 13. Fiscal Year—Financial Reports—Depreciation Fund—The fiscal year for the Commission shall be the same as the calendar year. After the completion of the said mem-

orial structures and after acceptance of such fact is duly made by the General Council as herein provided for, it shall be the duty of the Commission thereafter, during the month of December of each year, to prepare and certify to the Mayor of such city, to be by him transmitted to the General Council of such city, a statement showing the total funds which, in the judgment of the Commission, will be needed for the purposes of maintaining the memorial for the ensuing fiscal year; and setting forth in detail the sums needed for the different classes of such expenditure; and setting forth, also, the estimated balance, if any, which will be on hand on the first of January following the certification of said statement and available for expenditure during said ensuing fiscal year for maintenance purposes; also, indicating, as nearly as may be possible, what, if any, additional funds or assets other than such as may be derived from the levy and collection of taxes, as aforesaid, for maintenance purposes for said ensuing fiscal year, will become available during such year for such expenditure. The General Council in making the levy of the tax for maintenance purposes shall take into consideration the amount of funds which may be held or derived by the Commission on account of gifts or donations to the Commission for maintenance purposes. The Commission shall have the right to set aside and retain from year to year, out of the maintenance funds derived by gift or taxation, or both, as herein provided for, a reasonable fund to be known as an "improvement and replacement fund," to cover needed improvements, replacements and equipment, for, and depreciation of, the memorial; said funds to be placed at interest in a bank, or banks, of such city, with the Mayor's approval, or invested in United States Government interest-bearing bonds, or in any interest-bearing bonds of such city, or of any of its instrumentalities. The amount each year for such purposes thus set aside, shall be made with the approval of said Mayor; and shall be held and used as occasion may require, as a further memorial building and improvement fund to improve and

further equip said memorial; and, in case of destruction of said memorial, or any portion thereof, by fire, or wind, or other casualty, or decay, for replacement purposes; Provided, however, that the cost of ordinary repairs shall be paid for out of maintenance funds.

§ 14. Further Reports—System of Accounts—Examinations—Within sixty (60) days after the close of each fiscal year, the Commission shall make a full, detailed report to the Mayor of such city showing all the financial operations of the Commission during the previous fiscal year; showing, also, the general scope of the operations of the Commission and of the memorial during the preceding fiscal year; which report shall be transmitted by the Mayor to the General Council of such city. The Commission shall adopt and maintain an up-to-date and efficient system of accounting covering all of its fiscal work and that of the memorial. The Mayor of such city may cause to be examined at any time such accounts and records, and report of such examination shall be made to the Mayor. The Mayor and the General Council may call upon the Commission at any time for any information or report concerning the fiscal or other operations of the Commission.

§ 15. Use of Memorial—Income—The Commission is hereby empowered to use, and to permit the use of the said memorial, and the grounds, auditoriums, halls, offices, and rooms thereof, for conventions, theatrical and musical performances, public entertainments, and other like meetings or assemblages, and to make and collect reasonable charges therefor, except where such use is for memorial or other purposes of such a distinct civic character or purely public benefit as shall, within the discretion of the Commission, render any charge for such use undesirable; and all revenues thus derived shall be held and used by the Commission to the extent that same may be necessary to maintain and operate such memorial structures, and to provide for a replacement and improvement fund as provided for in Section 19 of this Act,

with balances to be covered with the city treasury under certain circumstances as in this Act herein provided for.

§ 16. Gifts and Donations—The Commission is hereby empowered within its discretion, to accept any gifts or donations of real estate or funds, securities, or other property of any other description, for any of the purposes of this Act, any such gift or donation to be accompanied by a suitable instrument, executed by the donor or donors, setting forth the purposes for which such gift or donation is made; and such gift or donation, or the proceeds thereof when reduced to money, if not already in money, shall be used by the Commission only for the purpose for which donated or given. All such gifts or donations made before the funds to be derived under the bond issue herein provided for are made available for the purposes for which authorized, shall be reduced to money, or to high-class interest-bearing securities acceptable to the Commission and to the aforesaid Mayor; and thereupon, such funds or securities shall be placed in some solvent bank or banks, or trust company or trust companies, in such city, to be agreed upon by the Commission and the respective donors; and to be held by such banks or trust companies as trustees until the funds to be derived through the aforesaid bond issue shall become available for the purposes of this Act, and all such moneys so deposited with any such trustee shall draw interest at a fair rate. If, and when, the funds from the aforesaid bonds shall become available for the said purposes, the said trustee, or trustees, shall pay over, or deliver, to the Commission all of the funds or securities which have thus been delivered to such trustee, or trustees; and such funds or securities shall thereupon constitute assets of the Commission for expenditure in accordance with the terms of such gifts or donations agreeably to the provisions of this Act. If, after any such gift or donation is so made, the proposed bond issue is defeated or invalidated, such gift or donation shall be thereupon returned to the donor by the trustee holding same under the provisions of this Act.

§ 17. Bond Issue—In order to provide money for the construction and equipment of the said memorial, the General Council of such city may adopt an ordinance submitting to the voters of such city at the November election, 1920, or at the next general election held in said city, the question whether bonds of the city shall be issued for such purpose. Such ordinance shall provide the date and maturity of such bonds, the rate of interest they shall bear, and the total amount of such bonds, which shall be five hundred thousand dollars (\$500,000.00); and said ordinance shall also contain the necessary details in reference to the execution and delivery of said bonds, their denominations, coupons to be annexed, tax to be levied to pay the interest thereon, and to provide a sinking fund to retire such bonds at maturity. Said ordinance may be adopted by the General Council either prior, or subsequent, to the selection of the plans to be used in the acquirement and construction of said memorial.

§ 18. Sale of Bonds.—If the voters of such city shall duly determine that such bonds shall be issued, such bonds, when so issued, shall be placed under the control of said Commission, which shall determine when, and at what price, and how they shall be sold: Provided, however, that such bonds shall be sold for not less than par; and any premium which may be obtained from the sale of said bonds shall constitute a part of the sinking fund for their ultimate retirement. As the said bonds are sold, their proceeds shall go to the credit of the Commission in the same depositories which are selected for the deposit of the funds received or held by the Commissioners of the Sinking Fund of the city, upon like agreements as to interest; and shall be withdrawn only upon the checks of the Secretary and Treasurer of the Commission, countersigned in such manner and accompanied by such voucher, as may be prescribed by regulations to be adopted by the Commission.

§ 19. Income After Bonds Are Paid—After the bonds herein provided for are fully paid, the Commission, with the

Mayor's approval, may annually set aside a portion of the income derived from the operation of the memorial; and same shall be either deposited, at interest, in such banks or trust companies, as may be selected by the Commission, with the Mayor's approval, or invested by the Commission, with the Mayor's approval, in high-class interest-bearing securities, and so held, to be used in either case for the purposes of improvement, replacement, re-building, or reconstruction of said memorial, or any portion thereof, as conditions may require or render advisable; such work to be done by, or under the supervision of the Commission. The remainder of such annual income less such portion thereof as may be required or used for the maintenance of said memorial, shall be paid into the city treasury.

§ 20. Disbursements—Dissolution of Commission—All disbursements of the Commission for acquiring and constructing said memorial, prior to the completion of the memorial, shall come out of the proceeds of the sale of the said bonds; and from the funds derived from gifts or donations for the purpose of acquiring or constructing said memorial: Provided, however, that the Commission shall have the right to borrow enough money to defray the liabilities incurred by it up to the time it shall receive any of such proceeds; and in the event that the voters of the city shall reject the aforesaid submission ordinance and refuse to vote said bond issue, the city shall be responsible for, and shall make the payment of all money so borrowed; and provided, also, that in the event the said ordinance is defeated by said voters, thereupon, the powers herein granted to the said Commission shall cease and the said Commission shall thereupon stand dissolved. After the completion of the memorial, the compensation of all officers and employees of the Commission employed in the maintenance or operation of the memorial, shall constitute maintenance expense, and shall be paid as such.

§ 21. Action Following Dissolution—Upon the dissolution of the said Commission, if such dissolution is

made agreeably to the next preceding section, all property, real or personal, franchises, easements, maps, plans, books, papers, and records shall thereupon, whether acquired by gift, purchase, condemnation, or otherwise, vest in and become the property of said city, and all money then in the hands of the Commission shall be turned over by it to such city, to be retained by it except that the city shall pay out of such funds any unpaid obligations of said Commission.

§ 22. Effect of Failure of Bond Issue—If the aforesaid bond issue of five hundred thousand dollars (\$500,000.00) is duly voted by the people of such city as provided for by this Act, the said bonds shall be issued and sold only upon condition—and the submission ordinance shall so provide—that within two (2) years after they are so voted, there shall be given or donated to the said Commission or deposited in trust as in Section 16 provided, to be used for the purpose of constructing, or aiding in the construction, of said memorial, a total sum of not less than five hundred thousand dollars (\$500,000.00) in money or in solvent securities, acceptable to the Mayor and General Council of such city as shall be shown by appropriate ordinance or resolution of such General Council to be approved by the Mayor. If, and when said total of five hundred thousand dollars (\$500,000.00) in money or solvent securities is so given and donated to said Commission or deposited in trust as aforesaid, for such purpose within such period, the Commission shall immediately thereupon take all steps and perform all acts required of it herein in relation to the sale of the aforesaid bonds and to the construction of such memorial structures and other matters herein provided for.

§ 23. Use of Funds Derived Through Bonds or Gifts—All of the funds realized from the sale of the aforesaid bonds, if voted, together with the aforesaid gifts or donations or funds, aggregating not less than five hundred thousand dollars (\$500,000.00) additional, shall be expended by the Commission for the acquirement of necessary grounds and for the

construction and equipment of said memorial, as provided for in this Act; and the title to all such property, however acquired, shall vest in said Commission, and shall be held and used in strict and inviolable trust for the purposes contemplated by this Act, and free from all taxation, impost, or assessment—State, county, district, municipal, or otherwise. The Commission shall have the right to exchange or sell, for the purposes of this Act, any of the property donated or given to it for such purpose.

§ 24. Partial Repeal of Section 2827 Kentucky Statutes --Section 2827, Kentucky Statutes, vesting in the Board of Public Works of cities of the first class, supervision and control over the construction of all public building and public improvement, shall, to the extent that same conflicts with this Act, stand repealed; but to no further extent.

§ 25. Legal Services—All legal services or advice required by said Commission shall be rendered by the City Attorney of such city, and his assistants, without additional compensation to them therefor.

§ 26. Repealing Clause—All Acts or parts of Acts in conflict, or inconsistent herewith, are hereby repealed.

§ 27. Invalidation of any Provision—Effect—If any section, paragraph, clause, or separable provision of this Act shall be held to be invalid, such fact shall not affect, or render invalid, any other section, paragraph, clause or separable provision of the Act; it being the intention of the General Assembly, in enacting this Act, to enact each section, paragraph, clause, and provision separately.

§ 28. Liberal Construction of Act—This Act, and all and each of its various sections and provisions, shall be liberally construed in favor of the purposes of the Act.

§ 29. Emergency Clause—Because of the fact that in Louisville, a city of the first class, there are ready to be made to the Commission which may, under provisions of this Act be created for said city, substantial gifts and donations; and for the further reason that it is very important that in said

city, the provisions of this Act become effective at the earliest possible moment in order to carry forward successfully the work of the Commission hereunder,—an emergency is hereby declared to exist, and this Act shall take effect on and after its approval by the Governor.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	H. N. Dean	Dr. S. D. Laughlin
L. H. Ballard	J. B. Denues	Hebron Lawrence
W. T. Beckham	J. W. Geveden	Joseph Lazarus
S. M. Bennett	E. C. Hardin	Elmer Lusby
J. M. Billiter	Dr. W. L. Haynes	R. C. Marcum
W. M. Boling	A. R. Hudson	I. S. Mason
Rodney G. Bryson	Adam W. Huff	A. J. McCandless
Poy J. Cain	Robt. Humphreys	R. L. McFerron
W. T. Carner	J. W. Johnson	Homer C. McLellen
J. F. Carr	Henry Kaufman	Harry J. Meyers
T. L. Caudel	Griffin Kelly	Mack J. Morgan
B. L. Cox	Frank Kennard	Estill W. Neel
P. A. Day	J. M. Knott	Chas. A. Nelson

T. C. Pryse	H. A. Spillman	Fred C. VanHoose
S. C. Ray	R. Lee Stewart	Daniel Vose
J. L. Richardson	Wm. A. Stewart	J. S. Webb
Sherman Robbins	John T. E. Stites	Dr. T. R. Welch
B. A. Roth	Frank L. Strange	Gladstone Wesley
Dr. Lewis Ryans	John W. Swope	V. M. Williamson
Chas. R. Scott	J. Mack Thompson	W. N. Winn
W. P. Scott	C. B. Truesdell	Dr. W. S. Yazell
E. E. Shannon	John L. Trumbo	

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, Senate Bill No. 57.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 57. An Act to amend an Act approved February 26, 1912, entitled, "An Act to amend an Act approved March 8, 1904, entitled 'An Act for the relief of the Court of Appeals, approved October 5, 1900,' " and which is now Section 962a, Carroll's Kentucky Statutes, 1915 Edition.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of an Act, approved February 26, 1912, entitled "An Act to amend an Act approved March 8, 1904, entitled 'An Act for the relief of the Court of Appeals,

approved October 5, 1900," which is now Section 962a, Carroll's Kentucky Statutes, 1915 Edition, be amended by striking from the tenth line of said section after the word "assistant," the words "one hundred dollars," and inserting in lieu thereof the words, "one hundred and fifty dollars," so that said section as amended and re-enacted shall read as follows:

That the Judges of the Court of Appeals are hereby empowered to employ clerical assistance for each of said Judges and the Commissioner of Appeals, and fix the compensation to be paid such assistants. Such compensation shall be paid monthly out of the treasury upon the warrant of the Auditor of Public Accounts, which shall be issued upon the certificate of the Chief Justice; and the compensation of such assistants shall not exceed for each assistant one hundred and fifty dollars a month. Such assistant shall be subject to removal at the pleasure of said judges, and shall not practice law or accept any employment or render any service as attorney or counsellor-at-law in the Court of Appeals.

§ 2. Because of the necessity for the increase in the compensation of the clerical assistants as herein provided for, owing to the extreme advance in living expenses, and the consequent inability of the judges of the Court of Appeals to secure capable assistants at the compensation heretofore provided for, an emergency is declared to exist, and this Act shall take effect upon its passage and approval by the Governor as required by law.

Mr. Lazarus offered the following amendment:

Amend Senate Bill No. 57 by striking out, in lines 7 and 15, of the printed bill, the words "one hundred and fifty dollars," and inserting in lieu thereof the words "one hundred and twenty-five dollars."

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	J. W. Geveden	R. C. Marcum
H. H. Barnes	Dr. W. L. Gossett	I. S. Mason
W. T. Beckham	A. L. Hamilton	A. J. McCandless
S. M. Bennett	A. F. Hanberry	Homer C. McLellen
J. M. Billiter	E. C. Hardin	Harry J. Meyers
W. M. Boling	Dr. W. L. Haynes	Mack J. Morgan
Jo F. Bosworth	Talbert Holliday	John T. Murphy
Rodney G. Bryson	D. J. Howard	Estill W. Neel
Roy J. Cain	A. R. Hudson	T. P. Oliver
W. T. Carner	Adam W. Huff	T. C. Pryse
J. F. Carr	Robt. Humphreys	S. C. Ray
T. L. Caudel	R. O. Huntsman	B. F. Reynolds
A. S. Cooper	J. W. Johnson	J. L. Richardson
B. L. Cox	Henry Kaufman	Sherman Robbins
J. S. Cruse	Griffin Kelly	B. A. Roth
P. A. Day	Frank Kennard	Dr. Lewis Ryans
H. N. Dean	J. M. Knott	Chas. R. Scott
J. B. Denues	Dr. S. D. Laughlin	W. P. Scott
J. M. Foster	Hebron Lawrence	E. E. Shannon
B. J. Goehringer	Elmer Lusby	Dr. B. F. Shields

H. G. Skiles	J. H. Thompson	Dr. T. R. Welch
S. G. Smith	Dr. D. J. Travis	Gladstone Wesley
R. Lee Stewart	C. B. Truesdell	W. G. Wheeler
John T. E. Stites	John L. Trumbo	R. E. Wilborn
Frank L. Strange	J. Wood Vance	V. M. Williamson
T. R. Stults	Daniel Vose	W. N. Winn
J. Mack Thompson	Geo. C. Waggoner	Dr. W. S. Yazell

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Those who voted in the negative were—

W. L. Kimbrough	Chas. A. Nelson	Fred C. VanHoose
Joseph Lazarus	Wm. A. Stewart	A. M. Wash

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following pair was announced:

Mr. Vose, with Mr. Vance, on Senate Bill No. 182. Mr. Vance would vote for the bill and Mr. Vose against it.

Mr. Lazarus, of the Committee on Rules, called up for consideration, Senate Bill No. 182.

Then the House took up for consideration, from the Orders of the day, a bill entitled:

Senate Bill No. 182. An Act to define and prohibit criminal syndicalism and sedition and to prohibit conduct, publications, assemblies and the use of property for the promotion of criminal syndicalism and sedition, prescribing the duties of peace officers and providing penalties.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. "Criminal syndicalism" is hereby defined to be the act of committing, aiding or counseling crime, physical violence, arson, destruction of property, intimidation, terrorism or other unlawful acts or methods, as a means of accomplishing political ends, or as a means of bringing about political revolution.

§ 2. "Sedition" is defined to be the advocacy or suggestion by word, act, deed or writing of public disorder or resistance to the Government of the United States or of the Commonwealth of Kentucky or of the Constitution or laws of either of them, or of the change or modification of the Government of the United States or of the Commonwealth of Kentucky, or of the Constitution or laws of either of them, by force or violence or by means other than by the lawful means provided by the Constitution and laws of the United States and of the Commonwealth of Kentucky for such purpose.

§ 3. Criminal syndicalism and sedition, as hereby defined, are declared to be unlawful and felonious, and are prohibited, and any person guilty of any or either of said offenses, on conviction shall be confined in the State penitentiary at hard labor for not more than twenty-one (21) years or by a fine of not more than \$10,000.00, or both such imprisonment and fine.

§ 4. Any person who, by word of mouth or writing, advises, counsels, advocates, suggests or teaches the duty, necessity, propriety or expediency of crime, criminal syndicalism, or sedition, or who shall advise, counsel, advocate, suggest or teach the duty, necessity, propriety or expediency of doing any act of violence, the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of

accomplishing or effecting any political ends, change or revolution; or who prints, publishes, edits, issues or knowingly circulates, sells, distributes, or publicly displays any books, pamphlets, paper, handbill, poster, document, or written or printed matter in any form whatsoever, containing matter advocating, advising, suggesting or teaching crime, criminal syndicalism, sedition or the doing of any act of physical violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime or unlawful act as a means of accomplishing, effecting or bringing about any political ends, or change, or as a means of accomplishing, effecting or bringing about any political revolution, or who shall attempt to justify by word of mouth or writing, the commission or the attempt to commit any act of physical violence, the destruction of or damage to any property, the injury of any person, or the commission of any crime or unlawful act at any time or place with the intent to exemplify, spread, or teach, or suggest criminal syndicalism or sedition, or organizes, or helps to organize, or become a member of, or voluntarily assembles with any society or assemblage of persons which teaches, advocates or suggests the doctrine of criminal syndicalism, or sedition, or the necessity, propriety or expediency of doing any act of physical violence or the commission of any crime or unlawful act as a means of accomplishing or effecting any political ends, change or revolution is guilty of a felony and upon conviction thereof shall be punished by imprisonment in the State penitentiary for a term of not more than twenty-one years, or by a fine of not more than \$10,000.00, or by both such imprisonment and fine.

§ 5. The owner, lessee, agent, superintendent or person in charge or occupation of any place, building, room or rooms, or structure, who knowingly permits therein any assembly or consort of persons prohibited by this Act, or who, after notification by any peace officer or Commonwealth's Attorney that the place or premises, or any part thereof, is or are so used, permits such use to continue, is guilty of a

misdemeanor and punishable upon conviction thereof by imprisonment in the county jail for not more than one year, or by a fine of not more than \$500.00 or by both such imprisonment and fine.

§ 6. Any peace officer who shall have notice or knowledge of any such unlawful assembly in violation of this Act shall forthwith disperse the same, using the power of the county and such force as is reasonably necessary for that purpose; and if any such peace officer shall fail or refuse actively to disperse such assembly forthwith, he shall, on conviction, be fined one thousand dollars, and be imprisoned in the county jail thirty days, shall forfeit his office and be disqualified from holding any public office for a period of five years.

§ 7. It shall be unlawful for any person or persons, individually or collectively, to advocate, advise, counsel, aid or otherwise promote by writing, speaking or otherwise, the changing by force, intimidation, violence, rebellion or insurrection the present form of State or Federal Government or the laws or Constitutions thereof; or by violence, force or threats to alarm or disturb or intimidate, or attempt to alarm or disturb or intimidate, the General Assembly of the Commonwealth or any branch or member thereof; or by violence, force or threats to alarm, disturb or hinder or obstruct, or intimidate any officer of the Commonwealth of Kentucky, in the matter of his official action or in the discharge of his duty; or attempt so to do; or by violence, force or threats to resist, obstruct, or hinder any militiaman or military organization or posse acting under the orders of any officer of the Commonwealth of Kentucky, or of the United States; or to advocate, counsel, aid, or advise by speaking or writing, the assassination of any officer or officers of the Commonwealth of Kentucky or of the United States or of any person or persons and any person or persons violating any provisions of this section shall be punished by confinement in the State penitentiary for not more than twenty-one (21) years or by a fine of not more than \$10,000, or both such confinement and fine.

§ 8. If the death of any person shall occur in the course of, or by reason of any violation of this Act, or be contributed to by such violation, the person or persons so violating this Act shall be guilty of murder and shall be punished by death or by confinement in the State penitentiary for life.

§ 9. It shall be unlawful for any person to print, publish, utter, or circulate or to have in his possession for the purpose of publication, uttering or circulating any newspaper, book, circular, picture or other thing which advocates, suggests, counsels or advises forcible resistance to constituted authority or criminal syndicalism, sedition or the assassination of officers or other persons, or the forcible abolition of government, or changing by force or violence or direct action the form of the Government, Constitution, or laws of Kentucky or of the United States, and any persons publishing, uttering, circulating, or for such purposes having in their possession any such newspaper, book, circular, picture or other thing, shall be guilty of a felony and upon conviction shall be punished by confinement in the State penitentiary for not more than twenty-one (21) years or by a fine of not more than \$10,000, or both such imprisonment and fine and any person or persons who shall knowingly rent or furnish any building, land or place or any machinery or printing press for the printing or circulation of any such matter, shall be guilty of a misdemeanor, and shall be fined not more than \$1,000 for each offense or imprisonment in the county jail for not more than one year or shall be both so fined and imprisoned.

§ 10. It shall be unlawful for any person, or persons, by speech, writing or otherwise, to arouse, incite or fix or attempt to arouse, incite or fix enmity, discord or strife or ill feeling between classes or persons for the purpose of inducing public tumult or disorder in order to cause the forcible or violent change or overthrow of the Government of the United States, or of the Government of the Commonwealth of Kentucky, or for the purpose of inciting resistance to the courts, laws, officers or constituted authorities of the Com-

monwealth of Kentucky, and it shall be unlawful, for any such purpose, to display in any parade, meeting, assembly or other place any red flag, revolutionary insignia or any revolutionary banner, flag, placard, tag, sticker, circular, device or picture, and any person taking part in such parade or meeting or violating this section shall be guilty of a felony and on conviction shall be punished by confinement in the State penitentiary for not more than twenty-one years, or by a fine of not more than \$10,000 or by both such imprisonment and fine.

§ 11. If any two or more persons shall agree, band, or confederate themselves together to do any of the things prohibited by this Act, they shall be guilty of a felony and on conviction shall be punished by confinement in the State penitentiary not more than twenty-one years or by a fine of not more than \$10,000 or by both such imprisonment and fine. And in any prosecution under this Act it shall not be necessary to prove any overt act on the part of the accused pursuant to any unlawful combination or agreement.

§ 12. Any use knowingly of any building or structure or premises by any person or persons in the course of any violation of this Act, or for any prohibited meeting or purpose shall constitute a nuisance, and may be abated as other nuisances or may be summarily abated by any peace officer at any time by ejecting all persons therefrom, seizing any incriminating articles therein, and securely closing the place and excluding all persons therefrom until the owner, lessee, agent, tenant or occupant shall give bond with sufficient surety approved by said peace officer in the penal sum of one thousand dollars, payable to the Commonwealth of Kentucky, conditioned that said premises shall not thereafter be used for any unlawful purpose or by any person convicted under this Act. Any use of leased premises in violation of this Act shall terminate the lease thereof, at the option of the lessor.

§ 13. In case any section or part of this Act shall be held unconstitutional by any court, it is the legislative inten-

tion that no other part of this Act shall be affected by such holding.

§ 14. In any prosecution under this Act, no witness shall be allowed to claim privilege or exemption on the ground that his testimony may incriminate him; but said witness may be required nevertheless to testify for the Commonwealth, but no such testimony given by any such witness shall be used against him in any prosecution except for perjury, and shall be discharged from any liability for any violation of this Act so necessarily disclosed in his testimony. And the provisions of Section 241, Criminal Code, shall not apply in any such prosecution.

Mr. Humphreys moved that the House resolve itself into the Committee of the Whole for the purpose of hearing Mr. Stephen L. Blakey, Major M. K. Gordon, and Mr. Peter Campbell discuss the bill.

Said motion was agreed to.

The Speaker called Mr. Johnson to the chair to preside over the Committee.

The gentlemen named addressed the Committee, Messrs. Gordon and Blakey in favor of the bill, and Mr. Campbell against it, after which Mr. Humphreys moved that the Committee rise and report progress.

Said motion was agreed to.

Then the committee rose and the chairman, Mr. Johnson, reported that the Committee of the Whole had had under consideration Senate Bill No. 182, and had heard addresses in regard to said bill by Messrs. Gordon, Blakey and Campbell, but had come to no resolution thereon.

Mr. Richardson offered the following amendment:

Amendment to Senate Bill No. 182 by striking out in lines 6 and 7, Section 11, page 5, and line 8, page 6, the following words, "And in any prosecution under this Act, it shall not be necessary to prove any overt act on the part of the accused pursuant to any unlawful combination or agreement."

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	A. L. Hamilton	Hebron Lawrence
H. H. Barnes	E. C. Hardin	Elmer Lusby
W. T. Beckham	Dr. W. L. Haynes	R. C. Marcum
Rodney G. Bryson	Talbert Holliday	Claude D. Minor
Roy J. Cain	D. J. Howard	John T. Murphy
T. L. Caudel	Robt. Humphreys	Chas. A. Nelson
B. L. Cox	R. O. Huntsman	T. P. Oliver
J. S. Cruse	Griffin Kelly	T. C. Pryse
P. A. Day	W. L. Kimbrough	S. C. Ray
H. C. Duffy	J. M. Knott	B. F. Reynolds
Dr. W. L. Gossett	Dr. S. D. Laughlin	Lee Rogers

Chas. R. Scott	Frank L. Strange	A. M. Wash
W. P. Scott	T. R. Stults	J. S. Webb
Dr. B. F. Shields	John W. Swope	Gladstone Wesley
H. G. Skiles	J. H. Thompson	W. G. Wheeler
S. G. Smith	C. B. Truesdell	R. E. Wilborn
H. A. Spillman	John L. Trumbo	V. M. Williamson
John T. E. Stites	Geo. C. Waggoner	W. N. Winn

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Those who voted in the negative were—

S. M. Bennett	Dr. T. H. Gamblin	Harry J. Meyers
J. M. Billiter	B. J. Goehringer	Estill W. Neel
W. M. Boling	A. F. Hanberry	J. L. Richardson
W. T. Carner	A. R. Hudson	Sherman Robbins
J. F. Carr	J. W. Johnson	B. A. Roth
A. S. Cooper	Henry Kaufman	Fred C. VanHoose
H. N. Dean	Frank Kennard	
J. M. Foster	A. J. McCandless	

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

House Bill No. 261, entitled, an Act creating the Kentucky Geological Survey, designating its executive officer and his duties, and providing funds for its maintenance.

House Bill No. 253, entitled, an Act to abolish the Department of Geology and Forestry, the office of Commissioner of Geology and Forestry, the office of Deputy Commissioner of Geology and Forestry, the office of State Forester, and State

Geologist attached thereto, and all other offices, officers, deputies, assistants, clerks, etc., pertaining to the Department of Geology and Forestry as provided for in Chapter 35, Acts of 1918, and Chapter 59, Kentucky Statutes, Carroll, Vol. 3, 1918, Section 2007-a, 1, to 2007-g, 31, inclusive.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

A message was received from the Governor and read to the House, vetoing House Resolution No. 32.

Said message is as follows:

Gentlemen of the House of Representatives of the General Assembly of Kentucky:

Veto of House Resolution No. 32.

Joint Resolution originating as House Resolution No. 32, is before me for signature or veto.

This bill provides an increase of \$1.50 per day for seven pages and three cloak room keepers in the House and Senate. It involves an increase in salary over and above the salary fixed by law and the salary which was so fixed by law at the time each of the pages and cloak room keepers sought by election the positions they are now holding. While it is true that the cost of living has materially increased, yet the salary was fixed by law and those who sought these positions knew that the cost of living had increased when they sought these positions. This is a very small matter, but it is within the knowledge of the Governor that similar increases would be sought in the pay of other employees if this increase was granted. There has been no increase in the State tax rate. There will be no substantial increase in the amount of revenue coming to the State. If salaries are to be increased for the benefit of any particular group, then salaries should be generally increased for all employees. This has not been done; will not be done and cannot be done without such an increase in the expenditure as to approach the total amount of the State's income. I do not feel that I am justified in increasing the salaries of some employees unless there is an increase of all employees, affected alike by the high cost of living.

For these reasons, House Resolution No. 32 is vetoed.

EDWIN P. MORROW,

Governor of the Commonwealth of Kentucky.

March 15, 1920.

Mr. Richardson moved that the resolution do pass, the veto of the Governor notwithstanding.

Later, Mr. Richardson offered to withdraw said motion.

Mr. Johnson objected.

The yeas and nays being taken on the passage of the resolution, the veto of the Governor notwithstanding, resulted as follows:

Those who voted in the affirmative were—

H. H. Barnes	D. J. Howard	W. P. Scott
W. M. Boling	Robt. Humphreys	Dr. B. F. Shields
A. S. Cooper	J. W. Johnson	H. G. Skiles
B. L. Cox	Griffin Kelly	H. A. Spillman
J. S. Cruse	Elmer Lusby	J. H. Thompson
P. A. Day	John T. Murphy	Geo. C. Waggoner
Dr. W. L. Gossett	J. L. Richardson	Dr. T. R. Welch
A. L. Hamilton	Chas. R. Scott	

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Those who voted in the negative were—

L. H. Ballard	Frank Kennard	E. E. Shannon
W. T. Beckham	W. L. Kimbrough	R. Lee Stewart
S. M. Bennett	J. M. Knott	Wm. A. Stewart
J. M. Billiter	Dr. S. D. Laughlin	Frank L. Strange
Rodney G. Bryson	Hebron Lawrence	T. R. Stults
W. T. Carner	Joseph Lazarus	John W. Swope
J. F. Carr	R. C. Marcum	J. Mack Thompson
H. N. Dean	I. S. Mason	Dr. D. J. Travis
J. B. Denues	A. J. McCandless	C. B. Truesdell
J. M. Foster	R. L. McFerron	John L. Trumbo
B. J. Goehringer	Homer C. McLellen	J. Wood Vance
A. F. Hanberry	Mack J. Morgan	Daniel Vose
E. C. Hardin	Estill W. Neel	A. M. Wash
Dr. W. L. Haynes	T. C. Pryse	J. S. Webb
Talbert Holliday	S. C. Ray	Gladstone Wesley
A. R. Hudson	B. F. Reynolds	R. E. Wilborn
Adam W. Huff	Sherman Robbins	V. M. Williamson
R. O. Huntsman	Lee Rogers	W. N. Winn
Henry Kaufman	B. A. Roth	Dr. W. S. Yazell

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So the House refused to pass the resolution over the Governor's veto.

A message was received from the Senate announcing that it had passed House Bill No. 429.

Ordered that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, called up for consideration, Senate Bill No. 127.

Then the House took up for consideration, from the Orders of the day, a bill entitled:

Senate Bill No. 127. An Act to amend and re-enact Sections 3 and 5 of an Act entitled, "An Act to create the Kentucky Library Commission, to define its powers and duties and to provide for its expenses," which Act is Chapter 27, Acts of 1910, approved March 17, 1910.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sections 3 and 5 of Chapter 27, Acts 1910, approved March 17, 1910, entitled, "An Act to create the Kentucky Library Commission, to define its powers and duties and to provide for its expenses," be amended by striking out the words "not exceeding \$1,500 annually," which words are found in the eighth and ninth lines of Section 3; and by striking out the word "him," at the end of the sixteenth line of Section 3 and substituting therefor the words "the secretary;" and by striking out the words "and binding," in tenth line of Section 5; and adding after the words "officers of the State," in the last line of said section the words "and paid for out of the general expenditure fund of the State Treasury, as other claims against the State are paid, and not out of the appropriation of the Kentucky Library Commission," so that Sections 3 and 5 of said Act, as so amended, shall read as follows:

§ 3. The officers of the commission shall be a chairman, elected from the members thereof, for a term of one year, and a secretary, who shall be a person trained in modern library

methods, not a member of the commission. The secretary shall be appointed by the commission and shall serve at the will of the commission under such conditions and for such compensation as to it shall seem adequate.

Said secretary shall keep a record of the proceeds of the commission; keep accurate accounts of its financial transactions; have charge of its work in organizing new libraries, and improving those already established; supervise the work of the traveling libraries, and in general perform such duties as may from time to time be assigned to the secretary by the commission.

The commission shall be authorized to employ such other clerical and expert assistance as may be necessary. The secretary and assistants shall be allowed actual and necessary expenses while absent from the commission office upon the service of the commission.

§ 5. The commission shall, prior to December first of the year preceding the regular sessions of the General Assembly, make a biennial report to the Governor, which report shall show library conditions and progress in Kentucky, and shall contain a detailed statement of the expenses of the commission. This report, when printed, shall be presented to the General Assembly of the Commonwealth of Kentucky, and distributed by the commission. This report and other printing for the commission shall be done by the State Printer under the same regulations as other reports of the executive officers of the State, and paid for out of the general expenditure fund of the State Treasury as other claims against the State are paid, and not out of the appropriation of the Kentucky Library Commission.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Griffin Kelly	Chas. R. Scott
H. H. Barnes	Frank Kennard	W. P. Scott
S. M. Bennett	J. M. Knott	E. E. Shannon
W. M. Boling	Hebron Lawrence	H. G. Skiles
Roy J. Cain	Joseph Lazarus	S. G. Smith
J. F. Carr	Elmer Lusby	R. Lee Stewart
A. S. Cooper	R. C. Marcum	T. R. Stults
B. L. Cox	A. J. McCandless	J. Mack Thompson
P. A. Day	R. L. McFerron	J. H. Thompson
H. N. Dean	Homer C. McLellen	John L. Trumbo
Dr. T. H. Gamblin	Harry J. Meyers	Daniel Vose
A. L. Hamilton	Claude D. Minor	Geo. C. Waggoner
A. F. Hanberry	Chas. A. Nelson	J. S. Webb
E. C. Hardin	S. C. Ray	Dr. T. R. Welch
Talbert Holliday	B. F. Reynolds	Gladstone Wesley
D. J. Howard	J. L. Richardson	R. E. Wilborn
R. O. Huntsman	Sherman Robbins	Dr. W. S. Yazell
J. W. Johnson	Lee Rogers	
Henry Kaufman	B. A. Roth	

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 45. An Act repealing Sub-Section 2 of Section 4469a, Kentucky Statutes, Carroll's Edition, 1915, and enacting in lieu thereof a new sub-section.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sub-Section 2 of Section 4469a, Kentucky Statutes, Carroll's Edition, 1915, be, and the same is, hereby repealed and there is hereby re-enacted the following:

Sub-Section. At the next regular election of trustees, and thereafter every third year, there shall be elected but one member of said board; except that vacancies occurring in said board may be filled at any regular election for trustees.

No person shall be eligible to the office of member of the Board of Education who has not attained the age of twenty-five years, and who is not a citizen of and a bona fide resident of this Commonwealth and of the city for which he is elected three years next preceding the election; no person shall be eligible to this office who at the time of his election is directly or indirectly interested in any contract with the board, or who holds any office of trust or agency of, or whose father, son, brother, wife, daughter, sister or sister-in-law is employed as teacher, or in any capacity by such board, or who is, directly or indirectly, interested in the sale to the board of books, stationery, or other property. If he shall, after election, become a candidate for any office or agency or for the nomination thereto, the holding and discharging of which would have rendered him ineligible before election, or if he shall remove out of the city for which he was chosen, or if he shall do or incur anything which would have rendered him ineligible for election, or if any of his relatives above specified be employed by the board, his office shall without further action, be vacant and it shall be filled as directed. No member shall be permitted to vote in any election by the board in which

any of his relatives or connections above named shall be candidates.

Ordered that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill at length be dispensed with.

Which motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Henry Kaufman	W. P. Scott
L. H. Ballard	Griffin Kelly	W. E. Shannon
H. H. Barnes	W. L. Kimbrough	S. G. Smith
S. M. Bennett	Hebron Lawrence	R. Lee Stewart
Roy J. Cain	Joseph Lazarus	John T. E. Stites
W. T. Carner	Elmer Lusby	T. R. Stults
J. F. Carr	R. C. Marcum	J. Mack Thompson
T. L. Candel	I. S. Mason	C. B. Truesdell
A. S. Cooper	A. J. McCandless	John L. Trumbo
P. A. Day	R. L. McFerron	Daniel Vose
H. N. Dean	Claude D. Minor	Geo. C. Waggoner
J. M. Foster	John T. Murphy	J. S. Webb
Dr. T. H. Gamblin	Chas. A. Nelson	Dr. T. R. Welch
A. F. Hanberry	B. F. Reynolds	Gladstone Wesley
E. C. Hardin	Sherman Robbins	R. E. Wilborn
Dr. W. L. Haynes	B. A. Roth	W. N. Winn
R. O. Huntsman	Dr. Lewis Ryans	Dr. W. S. Yazell
J. W. Johnson	Chas. R. Scott	

Those who voted in the negative were—

Frank Kennard W. G. Wheeler

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 112. An Act to furnish to all the counties in Kentucky the various Acts of the Kentucky Legislature, and Journal of the House and Senate of said Legislature, and Kentucky reports where same have been destroyed by fire at a time when the court house of said county was destroyed by fire.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That where the court house of any county wherein its public library was kept, has been destroyed by fire, that it shall be the duty of the Librarian of the State of Kentucky to furnish to said county all Acts of the Kentucky Legislature, Journals of the House of Representatives and Senate of the State of Kentucky, and copies of the reports of the Kentucky Court of Appeals without expense to said county, when said loss has been shown by affidavit of the county judge of said county which has suffered such a loss.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill at length be dispensed with.

Said motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	E. C. Hardin	Dr. Lewis Ryans
L. H. Ballard	Talbert Holliday	Chas. R. Scott
H. H. Barnes	D. J. Howard	E. E. Shannon
S. M. Bennett	Robt. Humphreys	S. G. Smith
W. M. Boling	J. W. Johnson	R. Lee Stewart
Roy J. Cain	Henry Kaufman	John T. E. Stites
W. T. Carner	W. L. Kimbrough	T. R. Stults
J. F. Carr	Hebron Lawrence	John W. Swope
T. L. Caudel	Joseph Lazarus	Dr. D. J. Travis
Charles M. Ciarlo	Elmer Lusby	C. B. Truesdell
A. S. Cooper	R. C. Marcum	John L. Trumbo
J. S. Cruse	I. S. Mason	Daniel Vose
P. A. Day	R. L. McFerron	J. S. Webb
H. N. Dean	Claude D. Minor	Dr. T. R. Welch
Dr. T. H. Gamblin	John T. Murphy	Gladstone Wesley
B. J. Gochringer	Chas. A. Nelson	W. G. Wheeler
J. W. Geveden	B. F. Reynolds	K. E. Wilborn
Dr. W. L. Gossett	J. L. Richardson	W. N. Winn
A. L. Hamilton	Sherman Robbins	Dr. W. S. Yazell
A. F. Hanberry	B. A. Roth	

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There voted in the negative—

J. Mack Thompson

—1

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, Senate Bill No. 264.

On motion of Mr. Lazarus, it was ordered that this bill retain its place in the Orders of the Day, for future consideration.

Mr. Lazarus, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 204. An Act to amend, revise and re-enact Sections 3174, 3176, 3178, 3179 and 3181 of Kentucky Statutes, same being a part of Subdivision 8 of Chapter 89 thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sections 3174, 3176, 3178, 3179 and 3181 of Kentucky Statutes, same being a part of Subdivision 8 of Chapter 89 thereof, be, and the same are, hereby amended, revised and re-enacted so that the same, when so amended, revised and re-enacted will read as follows, to-wit:

“Section 3174. Ad Valorem and Poll Tax—Assessment of Property—License Fees.—Each city shall raise a revenue from ad valorem taxes, and to that end the board of commissioners of each city is hereby authorized and empowered to provide each year, by ordinance, for the assessment of all real and personal estate within the corporate limits thereof, subject to taxation for State purposes, and shall levy an ad valorem tax on same, not exceeding the rate and limit pre-

scribed in the Constitution; and may levy a poll tax not exceeding one dollar and fifty cents on each adult male inhabitant thereof, and may impose fees on stock used for breeding purposes, on franchises, trades, occupations and professions, and provide for the collection thereof.

Section 3176. Fiscal Year—Property Assessed as of July First—Lien. The fiscal year shall end at twelve o'clock at night on the thirty-first of December of each year. All property shall be assessed as of the first of July of each year, and there shall exist from that day a lien on all property subject to taxation to the city for the ad valorem taxes for the fiscal year commencing on the first day of January next ensuing, including all penalties and interest that may be added thereto or accrued thereon, superior to all other liens, incumbrances and interest.

Section 3178. Assessment as of July First at Fair Cash Value.—As of July first, one thousand nine hundred and twenty, and every year thereafter, all of the real estate in the city and all personal property subject to taxation for city purposes, shall be assessed at its fair cash value, estimated at a fair voluntary sale.

Section 3179. Assessor to Give Notice—Oath—Office Hours—Blanks—Failure to Give List—Penalty—Other Duties.—On or before the first day of July in each year the assessor shall give public notice, by advertisement in the official newspaper of the city, and by hand bills posted through the city, that all persons owning or having in their possession or under their control as agent, guardian, committee, executor, administrator, curator, trustee, receiver, commissioner or otherwise, personal property subject to taxation for city purposes on the first day of July, are required, on or before the first day of October, to give him a true and complete list of the same, with true cash value thereof, as of the first day of July, under oath, upon forms to be furnished on application by said assessor at his office, and that all merchants in the city, doing business for themselves or others, shall, in like

manner, in addition thereto, state the highest amount in value of all goods, wares, merchandise owned or kept on hand for sale by said merchants during the three months next preceding such first day of July. The assessor and his deputies shall be authorized to administer oaths and affirmations, and may examine on oath any person touching his personal property, and the value thereof, and may examine merchants on oath as to the statements they are required to make. The assessor shall keep his office open, and be himself or have a deputy in attendance during the hours from eight a. m. to six p. m., or such other or additional hours as may by ordinance be fixed, from the first day of July to and including the first day of October, excepting Sundays and legal holidays. The assessor shall constantly keep on hand, and furnish to persons lawfully requiring the same, all necessary blanks and forms for the lists and statements required by this Act. Nothing herein shall, however, prevent the assessor from assessing from the best information he can gather; and where an assessment has been made against a person who has had actual notice to appear and list his property or make statements thereof and fails to do so, the same shall not be decreased, but may be increased by the Board of Equalization. If any person refuse to attend when summoned, or to be sworn to answer, or to answer any question propounded to him by the assessor or his deputy, the assessor or deputy may, in writing, under oath, state the question, the refusal to answer it, and ask the police judge to issue a warrant against such person; and if the question appear to be a proper one, the said judge shall issue a warrant, and the said person shall, on conviction of having refused to answer the question, it being found by the court to be a proper one, be fined ten dollars, and there compelled by process of contempt to answer the questions and such proper questions as the assessor may propound to him. The assessor shall assess all property in one book. The word person as used herein shall mean natural and artificial persons, and the duties enjoined on them shall, in the case of artificial per-

sons, be performed by the chief officer or agent in the city at the time. Whenever the assessor shall ascertain that there has, in any former year or years, been any property omitted which should have been taxed, he shall assess the same against the person who should have been assessed with it, if living; if not, against his representative.

Section 3181. Board of Equalization—Qualifications—Compensation—Chairman and Clerk—General Powers and Duties.—There shall be a Board of Equalization to consist of three persons who shall be selected by the Board of Commissioners. No person shall be selected as a member of said board who shall not at the time be a housekeeper and owner of real estate of the city, and shall not have been a resident thereof five years next preceding his election. Said board shall be paid such compensation as may, by ordinance, be fixed, and shall meet at a suitable place to be provided by the city, on the first Monday in January of each year. They shall first be duly sworn faithfully to discharge their duties, shall elect from among themselves a chairman and a clerk, and shall then notify the Commissioner of Public Finance that they are ready to receive the assessment books, etc., which the Commissioner of Public Finance shall deliver to them, taking his receipt therefor. The assessor shall be in constant attendance in said board, and shall furnish them all information he can. They shall have power to cause all city records to be brought to them for their inspection by the custodian thereof, and if it be necessary to retain them for defense, may do so by receipting therefor to the custodian thereof. They may also interrogate any city official, who shall at their request attend them and respond to all questions. They shall each have power to administer oaths, and they shall have power to compel the attendance of witnesses, and all persons who shall refuse to attend them or to be sworn by them, or refuse to answer any question, shall be subject to the same penalties as provided for like refusal to the assessor. They shall first compare his real estate assessment with the plat

books in the auditor's office, and see that every parcel of real estate in the city has been assessed, and if they find that any has been omitted, shall certify the same, giving the number of parcels omitted to the city solicitor, who shall enforce the penalty provided in Section 3177 against the assessor for so doing, and they shall assess the parcels omitted. They shall hear all complaints against the assessment made by the assessor, and shall determine the same. They shall increase or decrease assessments on like property, to make all assessments as uniform as may be, or to place a true value on the property assessed; but no increase shall be made without notice to the person whose property is to be increased, and they may, in the assessment of real estate, increase or decrease all assessments uniformly by adding or subtracting a percentage of the assessments, and a notice of such increase need not be given except by publication in the official paper of the city. Said board shall remain in session as long as the business may require, but not to exceed four weeks, unless the Board of Commissioners shall extend the time of the sitting of said Board of Equalization. A majority of a quorum may determine any question before it. No change in any assessment shall be made by erasure, but there shall be appropriate columns for all changes and additions, and the same shall be made in a different colored ink to that which the assessor has used. When said board shall have completed its labors, it shall prepare a statement of the gross assessment of real property and the gross assessment of personal property, and the sum thereof, and also showing the increase or decrease, if any, in the total assessment made by them, under their signatures, which they shall return to the Commissioner of Public Finance with all the assessment books, plats and papers received from him, taking his receipt for the same, which they shall transmit to the Board of Commissioners."

§ 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill at length be dispensed with.

Said motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	J. W. Johnson	Dr. Lewis Ryans
L. H. Ballard	Henry Kaufman	W. P. Scott
H. H. Barnes	Griffin Kelly	E. E. Shannon
W. M. Boling	W. L. Kimbrough	Dr. B. F. Shields
Roy J. Cain	J. M. Knott	S. G. Smith
W. T. Carner	Hebron Lawrence	R. Lee Stewart
J. F. Carr	Joseph Lazarus	John T. E. Stites
T. L. Caudel	R. C. Marcum	Frank L. Strange
A. S. Cooper	A. J. McCandless	T. R. Stults
J. S. Cruse	R. L. McFerron	J. Mack Thompson
P. A. Day	Homer C. McLellen	C. B. Truesdell
B. J. Goehringer	Harry J. Meyers	Fred C. VanHoose
J. W. Geveden	Claude D. Minor	Daniel Vose
Dr. W. L. Gossett	John T. Murphy	A. M. Wash
A. F. Hanberry	Estill W. Neel	Dr. T. R. Welch
E. C. Hardin	Chas. A. Nelson	Gladstone Wesley
Dr. W. L. Haynes	T. P. Oliver	W. G. Wheeler
D. J. Howard	T. C. Pryse	V. M. Williamson
Robt. Humphreys	B. F. Reynolds	Dr. W. S. Yazell
R. O. Huntsman	Sherman Robbins	

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 231. An Act requiring the teaching in Public Schools of humane treatment to animals.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That for the purpose of lessening crime and raising the standard of good citizenship, and inculcating the spirit of humanity, such humane education shall be given in the public schools as shall include the kind and just treatment of horses, dogs, cats, birds and all other animals.

In every public school within this State not less than one-half hour of each week during the whole of each term of school shall be devoted to teaching the pupils thereof kindness and justice to, and humane treatment and protection of animals and birds and the important part they fulfil in the economy of nature. It shall be optional with each teacher whether it shall be a consecutive half-hour or shorter periods daily, or whether such teaching shall be through humane reading, stories, narratives of daily incidents, or illustrations taken from personal experience. This instruction shall be a part of the curriculum of study in all the public schools of the State of Kentucky.

The principal or teacher of every school shall certify in his or her reports that such instruction has been given in the school under his or her control.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

H. H. Barnes	Adam W. Huff	Dr. Lewis Ryans
S. M. Bennett	Robt. Humphreys	Chas. R. Scott
W. M. Boling	R. O. Huntsman	W. P. Scott
Roy J. Cain	J. W. Johnson	E. E. Shannon
W. T. Carner	Henry Kaufman	Dr. B. F. Shields
J. F. Carr	Frank Kennard	H. G. Skiles
T. L. Caudel	J. M. Knott	R. Lee Stewart
Charles M. Ciarlo	Hebron Lawrence	T. R. Stults
A. S. Cooper	Elmer Lusby	John W. Swope
J. S. Cruse	R. C. Marcum	Dr. D. J. Travis
J. B. Denues	A. J. McCandless	Fred C. VanHoose
Dr. T. H. Gamblin	R. L. McFerron	Daniel Vose
B. J. Goehringer	Homer C. McLellen	Geo. C. Waggoner
Dr. W. L. Gossett	Claude D. Minor	A. M. Wash
A. L. Hamilton	John T. Murphy	J. S. Webb
A. F. Hanberry	Estill W. Neel	Gladstone Wesley
E. C. Hardin	Chas. A. Nelson	W. G. Wheeler
Dr. W. L. Haynes	T. P. Oliver	R. E. Wilborn
Talbert Holliday	B. F. Reynolds	W. N. Winn
D. J. Howard	J. L. Richardson	Dr. W. S. Yazell

There voted in the negative—

J. Mack Thompson

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be considered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 1. An Act to provide for wash rooms in certain employments to protect the health of employees and secure public comfort.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Wash Rooms, Establishment.—That every owner or operator of a coal mine, steel mill, foundry, machine shop, or other like business, working thirty persons, or more, in which employees become covered with grease, smoke, dust, grime and perspiration to such extent that to remain in such condition after leaving their work without washing and cleansing their bodies and changing their clothing, will endanger their health or make their condition offensive to the public, shall provide and maintain a suitable and sanitary wash room, within six months after thirty per cent or more of said employees decide by a vote of the men affected to ask and notify the employer to erect a wash house, at a convenient place in or adjacent to such mine, mill, foundry, shop or other place of employment for the use of such employees.

§ 2. Wash Rooms, Requirements.—Such wash room shall be so arranged that employees may change their clothing therein, and shall be sufficient for the number of employees engaged regularly in such employment; shall be provided with double lockers or hangers in which employees may keep their clothing; said lockers shall be equipped with steam pipes if practicable in order that the clothing of the employees may be dried after the day's work has been finished; shall be provided with hot and cold water and sufficient and suitable showers and places and means for using the same; and during cold weather shall be sufficiently heated, it being distinctly understood that the wash rooms be maintained at the expense of the coal company, steel mill, foundry, machine shop or other business in which it is necessary for employees to have the use of such wash room, except that each employee shall furnish his individual soap and towels.

§ 3. Inspection.—It shall be the duty of the State and Assistant State Inspectors of mines, steel mills, foundries, and other places where wash rooms are required by this Act to inspect said wash rooms and places of business required by this Act to be provided with wash rooms and report to the owner or operator the sanitary and physical conditions thereof in writing and make recommendations as to such improvements or changes as may appear to be necessary for compliance with the provisions of this Act: Provided, this Act shall not apply to mines that may be worked out within two years from the date of notification by the employees, to erect said wash house. It shall be the duty of every employee to make reasonable use of said wash rooms.

§ 4. Violation, Penalty.—Any owner or employer who shall wilfully fail or refuse to comply with the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars.

§ 5. Second Offense, Etc., Penalty.—Any owner or employer who shall be convicted of a violation of the provi-

sions of this Act shall be subject to a conviction for succeeding offenses for each and every day he shall neglect or refuse to comply herewith.

Mr. Wash offered the following amendment:

Amend Section 3 of Senate Bill No. 1, by adding immediately after the words "wash house" in line 10 of Section 3, the following words, "nor shall same apply to any owner or operator of any mine, steel mill, foundry, machine shop or like business working thirty persons or more, where the expense of obtaining water to be used in connection with said wash house is so great as to be prohibitive of the business."

Said amendment was agreed to.

Mr. Wash offered the following amendment:

Amend Senate Bill 1, in House, by adding after paragraph 1, in line 13, the following sentence: "Provided that where the plants of two or more persons or corporations are situated in such proximity that a joint wash room will serve for the employees of each, then the construction and maintenance of a joint wash room sufficient to accommodate all of said employees shall be considered a compliance with the provisions of this Act."

Said amendment was agreed to.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Adam W. Huff	Sherman Robbins
L. H. Ballard	Robt. Humphreys	Lee Rogers
H. H. Barnes	J. W. Johnson	Dr. Lewis Ryans
S. M. Bennett	Henry Kaufman	Chas. R. Scott
W. M. Boling	Frank Kennard	W. P. Scott
Rodney G. Bryson	W. L. Kimbrough	E. E. Shannon
Roy J. Cain	J. M. Knott	Dr. B. F. Shields
W. T. Carner	Hebron Lawrence	S. G. Smith
J. F. Carr	Joseph Lazarus	R. Lee Stewart
T. L. Caudel	Elmer Lusby	Frank L. Strange
Charles M. Ciarlo	R. C. Marcum	T. R. Stults
J. S. Cruse	I. S. Mason	John W. Swope
P. A. Day	A. J. McCandless	J. Mack Thompson
H. N. Dean	R. L. McFerron	Dr. D. J. Travis
Dr. T. H. Gamblin	Homer C. McLellen	C. B. Truesdell
B. J. Goehringer	Harry J. Meyers	Fred C. VanHoose
J. W. Geveden	Claude D. Minor	Daniel Vose
Dr. W. L. Gossett	John T. Murphy	A. M. Wash
A. L. Hamilton	Estill W. Neel	J. S. Webb
A. F. Hanberry	T. P. Oliver	Dr. T. R. Welch
E. C. Hardin	T. C. Pryse	Gladstone Wesley
Dr. W. L. Haynes	S. C. Ray	W. G. Wheeler
Talbert Holliday	B. F. Reynolds	R. E. Wilborn
A. R. Hudson	J. L. Richardson	

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There voted in the negative—

A. S. Cooper

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 28. An Act to amend Sections 4, 16, 17, 42-b and 83 of an Act entitled, "An Act to provide an elective system of workmen's compensation for industrial accidents," and known as Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 23, 1916, and the same Act as amended by what is known as Chapter 176 of the Acts of the General Assembly of the Commonwealth of Kentucky, for the year 1918, and approved by the Governor March 29, 1918. Said sections as amended, and to be amended by this Act, are known as Sections 4883, 4897, 4898, 4925 and 4968 of Carroll's Statutes, Vol. 3, 1918 Edition.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4 (Section 4883) Carroll's 1918 Statutes, be and the same is hereby amended by striking from said section the words and figures "unless the board shall, by order made within that time, otherwise direct, not exceeding a total expense to the employer of more than \$100 on account of the benefits provided by this section," and inserting in lieu thereof the words and figures "nor exceeding a total expense to the employer of more than \$100 on account of the benefits provided by this section, unless the board shall by order made within that time direct an extension of said period of treatment or direct an extension of said limit of expense to not exceeding \$200" so that said section, when amended, shall read as follows:

In addition to all other compensation herein provided, such medical, surgical and hospital treatment including nursing, medical and surgical supplies and appliances, as may reasonably be required at the time of the injury and thereafter during disability, but not exceeding ninety days nor exceeding a total expense to the employer of more than \$100 on account of the benefits provided by this section, unless the board shall, by order made within that time, direct an extension of said period of treatment or direct an extension of said limit of expense to not exceeding \$200, to cure and relieve from the effects of the injury shall be furnished by the employer, and, in case of his refusal or neglect reasonably to do so, the employer shall be liable for the reasonable expense, within the limits of this section, incurred by or on behalf of the employee in providing the same.

In the event of an emergency, the employee shall have the right to call in any available physician or surgeon to administer such first aid as may be reasonably necessary at the expense of the employer within the limits of this section.

§ 2. That Section 16 of the Act (Section 4897 Carroll's 1918 Statutes) be and the same is hereby amended by striking from said section the figures "\$12.00" and inserting in lieu thereof the figures "\$15.00" and by striking from said section the figures "\$5,000," wherever they appear therein, and substituting in lieu thereof the figures "\$6,000," and re-enacted so that when amended shall read as follows:

Where the injury causes total disability for work, the employer during such disability except the first seven days thereof, shall pay the employee so injured a weekly compensation equal to 65 per cent of his average weekly earnings, not to exceed \$15.00 nor less than \$5.00 per week, such payments to be made during the period of total disability but not longer than eight years after the date of the injury, nor in any case to exceed a maximum sum of \$6,000. In case the period of total disability begins after a period of partial disability, the period of partial disability shall be deducted from the total

period of eight years during which compensation for total disability may be payable, and the payments made on account of such partial disability shall be deducted from the maximum of \$6,000.

In case of the following injuries, the disability shall be deemed total and permanent, to-wit:

- (1) The total and permanent loss of sight in both eyes.
- (2) The loss of both feet at or above the ankle.
- (3) The loss of both hands at or above the wrist.
- (4) A similar loss of one hand and one foot.
- (5) An injury to the spine, resulting in permanent and complete paralysis of both arms or both legs, and of one arm and one leg.
- (6) An injury to the skull resulting in incurable insanity or imbecility.

The above enumeration is not to be taken as exclusive, but in all other cases the burden of proof shall be on the claimant to prove that his injuries have resulted in permanent total disability.

That Section 17 of said Act (Section 4898, Carroll's 1918 Statutes) be and the same is hereby amended by striking therefrom the figures "\$12.00" and inserting in lieu thereof the figures "\$15.00" and re-enacted so that the same, when amended, shall read as follows:

In case of an injury resulting in temporary partial disability, the employee shall receive during such disability, except the first seven days thereof, a weekly compensation equal to 65 per cent of the difference between his average weekly earnings which he earns, or is able to earn, in some suitable employment after the injury and during such disability not to exceed 333 weeks from the date of injury, nor exceeding the sum of \$15.00 per week nor the maximum sum of \$4,000. In case partial disability follows a period of total disability, such period of total disability shall be deducted from the maximum period allowed for partial disability and the benefits

paid on account thereof from the maximum allowed for partial disability.

§ 4. That Section 42-b (Section 4925 Carroll's Statutes of 1918) be and the same is hereby amended by striking therefrom the word "three" and inserting in lieu thereof the word "five," so that said section, when amended, shall read as follows:

The board and their employees or authorized representatives, shall for such travelling as is necessitated by the discharge of their official duties, be allowed transportation actually paid for, not exceeding the regular fare over the most direct route, and meals and lodging actually paid for, not exceeding five dollars per day.

§ 5. That Sub-Sections 1, 2 and 8 of Section 83 (Section 4968 Carroll's Statutes of 1918) be and the same are hereby amended by striking from said Sub-Section 1 the figure "4" and inserting in lieu thereof the figure "3," by striking from said Sub-Section 2 the figure "4" and inserting in lieu thereof the figure "3," and by striking from said Sub-Section 8 the figure "4" and inserting in lieu thereof the figure "3" so that said sub-section, when amended, shall read as follows:

Sub-Section 1. Every person, partnership, association, corporation, whether organized under the laws of this or any other State or country, company, mutual company or association, the parties to any inter-indemnity contract or reciprocal plan or scheme, and every other insurance carrier, insuring employers in this State against liability for personal injuries to their employees, or death caused thereby, under the provisions of the Act, shall, as hereinafter provided, pay a tax upon the premium received, whether in cash or notes, in this State or on account of business done in this State, for such insurance in this State, at the rate of 3 per cent of the amount of such premiums, which tax shall be in lieu of all other taxes on such premiums, which tax shall be assessed and collected as hereinafter provided. Provided, however, that such insur-

ance carriers shall be credited with all cancelled or returned premiums, actually refunded during the year on such insurance, and with premiums on reinsurance with companies authorized to and licensed to transact business in Kentucky, which reinsurance shall be reported by the reinsurer; but no credit shall be allowed for reinsurance in companies not licensed to transact business in Kentucky.

Sub-Section 2. Every such insurance carrier shall, for the six months ending October 31, 1916, for the eight months ending June 30, 1917, and annually thereafter, make a return verified by the affidavit of its president and secretary or other chief officer or agent, to the Commissioner of Insurance stating the amount of all such premiums and credits during the period covered by such return. Every insurance carrier required to make such return, shall file the same with the Commissioner of Insurance within thirty days after the close of the period covered thereby and shall at the same time pay into the State Treasury a tax of \$3 on each \$100 of such premium ascertained as provided in Sub-Section 1 hereof, less returned premiums on cancelled policies and reinsurance with other companies licensed to transact business in this State, and upon payment file a statement with the Secretary of State. Upon receiving such payments the State Treasurer shall place the whole thereof to the credit of the fund for the administration of this Act.

Sub-Section 8. Every employer carrying his own risk under the provisions of Section 63 shall, under oath, report to the board his pay roll subject to the provisions of this Act. Such report shall be made in form prescribed by the board and at the times herein provided for premium reports by insurer. The board shall assess against such pay roll a maintenance fund tax computed by taking 3 per cent of the basic premiums chargeable against the same or most similar industry or business, taken from the manual insurance rates for compensation then in force in this State.

The Committee on Rules offered the following amendment:

That there be stricken from said bill the whole of Section 5 thereof and that there be substituted therefor the following words and figures, to-wit:

Section 5. That Sub-Sections 1, 2, 8 and 9 of Section 83 (Section 4968 Carroll's Statutes of 1918) be and the same are hereby amended by striking from said Sub-Section 1 the figure "4" and inserting in lieu thereof the figure "2," by striking from said Sub-Section 2 the figures "\$4" and inserting in lieu thereof the figures "\$2," and by striking from said Sub-Section 8 the figure "4" and inserting in lieu thereof the figure "2," and by striking from Sub-Section 9 the words "If it be ascertained that the tax collected for a given period exceeds the total chargeable against the maintenance fund under the provisions of this Act, the board may authorize a corresponding credit upon collections for the succeeding period," inserting in lieu thereof the words and figures "If it be ascertained that the total net surplus to the credit of the Maintenance Fund on June 30 of any year exceeds the sum of \$60,000, no tax provided for under any part of this section shall be assessed or collected for that year for the benefit or maintenance of said fund, and the tax upon premiums under this Act which would otherwise have been payable for the maintenance of said fund shall be payable into the State Treasury to be credited to the general fund," so that said sub-sections, when amended, shall read as follows:

Sub-Section 1. Every person, partnership, association, corporation, whether organized under the laws of this or any other State or country, company, mutual company or association, the parties to any inter-indemnity contract or reciprocal plan or scheme, and every other insurance carrier, insuring employers in this State against liability for personal injuries to their employes, or death caused thereby, under the provi-

sions of this Act, shall, as hereinafter provided, pay a tax upon the premium received, whether in cash or notes, in this State or on account of business done in this State, for such insurance in this State, at the rate of 2 per cent of the amount of such premiums, which tax shall be in lieu of all other taxes on such premiums, which tax shall be assessed and collected as hereinafter provided. Provided, however, that such insurance carriers shall be credited with all cancelled or returned premiums, actually refunded during the year on such insurance, and with premiums on reinsurance with companies authorized and licensed to transact business in Kentucky, which reinsurance shall be reported by the reinsurer; but no credit shall be allowed for reinsurance in companies not licensed to transact business in Kentucky.

Sub-Section 2. Every such insurance carrier shall, for the six months ending October 31, 1916, for the eight months ending June 30, 1917, and annually thereafter, make a return verified by the affidavit of its president and secretary, or other chief officer or agents, to the Commissioner of Insurance (stating the amount of all such premiums and credits during the period covered by such return. Every insurance carrier required to make such return, shall file the same with the Commissioner of Insurance) within thirty days after the close of the period covered thereby and shall at the same time pay into the State Treasury a tax of \$2 on each \$100 of such premium ascertained as provided in Sub-Section 1 hereof, less returned premiums on cancelled policies and reinsurance with other companies licensed to transact business in this State, and upon payment file a statement with the Secretary of State. Upon receiving such payments the State Treasurer shall place the whole thereof to the credit of the fund for the administration of this Act.

Sub-Section 8. Every employer carrying his own risk under the provisions of Section 4946 shall, under oath, report to the board his pay roll subject to the provisions of this Act. Such report shall be made in form prescribed by the board

and at the time herein provided for premium reports by insurer. The board shall assess against such pay roll a maintenance fund tax computed by taking 2 per cent of the basic premiums chargeable against the same or most similar industry or business, taken from the manual insurance rates for compensation then in force in this State.

Sub-Section 9. The board shall not be authorized to incur expenses or indebtedness during any period, chargeable against the maintenance fund in excess of the premium tax payable to such fund for the same period. If it be ascertained that the total net surplus to the credit of the maintenance fund on June 30 of any year exceeds the sum of \$60,000, no tax provided for under any part of this section shall be assessed or collected for that year for the benefit or maintenance of said fund, and the tax upon premiums under this Act which would otherwise have been payable for the maintenance of said fund shall be payable into the State Treasury to be credited to the general fund.

Said amendment was agreed to.

The Committee on Rules offered the following amendment:

Amendment 2. That there be added to said bill as Section 6 thereof the following:

Section 6. That Section 42 (Section 4923 of Chapter 137, Carroll's Kentucky Statutes of 1918) be and the same is hereby amended by striking from said section after the word "exceed" and before the word "per" the figures "\$75.00" and inserting in lieu thereof the figures "\$100.00;" by striking from said section after the word "stenographer" and before the word "per" the figures "\$100.00" and inserting in lieu thereof the figures "\$125.00;" by striking from said section after the word "employee" and before the word "per" the figures "\$150.00," and inserting in lieu thereof the figures

“\$175.00,” and re-enacted so that said section as amended shall read as follows:

The salary and expenses of the board with other assistants and employees shall be paid out of the maintenance fund provided for in Section 85 hereof. The annual salary of each member shall be \$3,500.00. The board may appoint a secretary at a salary of not more than \$2,500.00 a year and a medical director and such other assistants and employees as are necessary to the proper administration of this Act, at salaries to be fixed by the board and approved by the Governor; provided, however, that such salaries shall in no case exceed \$100.00 per month to any stenographer, \$125.00 per month to any clerical employee, \$175.00 per month to any other employee or assistant, or \$3,000.00 per year to a medical director, who shall be a reputable, licensed and practicing physician and surgeon of the professional education, training or qualification required by law for admission to practice in this State. The board may at any time remove any of its appointees upon filing with the Secretary of State a full written statement of its reasons for such removal.

Said amendment was agreed to.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Griffin Kelly	Lee Rogers
W. M. Boling	Frank Kennard	E. E. Shannon
Rodney G. Bryson	J. M. Knott	Dr. B. F. Shields
Roy J. Cain	Dr. S. D. Laughlin	H. G. Skiles
W. T. Carner	Hebron Lawrence	S. G. Smith
J. F. Carr	Joseph Lazarus	R. Lee Stewart
T. L. Caudel	Elmer Lusby	John T. E. Stites
A. S. Cooper	R. C. Marcum	Frank L. Strange
J. S. Cruse	I. S. Mason	T. R. Stults
J. B. Denués	A. J. McCandless	J. Mack Thompson
Dr. T. H. Gamblin	R. L. McFerron	Fred C. VanHoose
B. J. Goehringer	Homer C. McLellen	Daniel Vose
J. W. Geveden	Harry J. Meyers	Geo. C. Waggoner
Dr. W. L. Gossett	Claude D. Minor	A. M. Wash
E. C. Hardin	John T. Murphy	J. S. Webb
Talbert Holliday	Estill W. Neel	Gladstone Wesley
D. J. Howard	T. P. Oliver	W. G. Wheeler
Robt. Humphreys	T. C. Pryse	R. E. Wilborn
R. O. Huntsman	B. F. Reynolds	Dr. W. S. Yazell
J. W. Johnson	J. L. Richardson	
Henry Kaufman	Sherman Robbins	

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The Rules Committee offered the following amendment to the title of said bill:

Amend title to Senate Bill No. 28 by adding after the figures "17" and before the figures "42b" the figures "42," and after the figures "4898" and before the figures "4925" the figures "4923."

Said amendment was agreed to.

Resolved, that the title thereof be as amended.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 148. An Act to amend Section 493 of the Civil Code of Practice.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 493 of the Civil Code of Practice, be and the same is hereby amended by adding to the first sentence of said section the words "In which cases no bond shall be given or required, whether there is an excess of proceeds of sale after payment of the debts or not;" so that said section as amended shall read as follows:

Section 493. (Bond to be Executed—Exception—Provision as to Married Women—Funds Held for Reinvestment.) Subject to the provisions of Sections 491, 496 and 497, and except the cases mentioned in Sub-Sections 1 and 2 of Section 489, in which cases no bond shall be given or required whether there is an excess of proceeds of sale after payment of the debts or not:

1. (Bond—Form of.) The guardian of each infant, the committee of each person of unsound mind, and the husband or next friend of each married woman, must, before the sale is ordered, execute a bond to the infant, infant married woman, or person of unsound mind, with at least two sureties, worth not less than double the value of the estate to be sold in substance as follows: "We, ... principal, and sureties, bind ourselves to that the said as guardian (or committee or husband or next friend), will faithfully discharge all his duties as such, and will comply

with the judgment and orders of the court in the action, and will account for, pay and deliver to the said all money or property due or belonging to him (or her) when required.”

2. (Court to Approve.) The court shall indorse its approval on said bond, which shall be recorded with the order of sale, and certified by the clerk of said court, who shall deliver it to the clerk of the county court, and it shall, by him, be recorded and properly indexed.

3. (Sale Void If Not Executed.) If the bond be not given, any order of sale, and any sale or conveyance made under such order, shall be absolutely void and of no effect.

(Privy Examination of Married Women.) In an action against an infant married woman, no order of sale shall be made until she file an answer consenting to the sale.

5. (Funds Held Until Reinvested.) In the case mentioned in Section 491, the court ordering the sale shall, by its commissioner, retain the custody and control of the fund realized by the sale until the same is reinvested in real estate, or in such other property as the funds of persons under disability may be invested by authority of law, and the court shall order the money to be paid, by its commissioner, directly to the person from whom the purchase for reinvestment is made, and to no other prson, and in which case no bond shall be required. (Section as amended by Act of May 9, 1892, c. 37, p. 57; and see as to investment of trust funds, Ky. Stats., Sec. 4706.)

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	Griffin Kelly	Chas. R. Scott
H. H. Barnes	Frank Kennard	W. P. Scott
Rodney G. Bryson	J. M. Knott	E. E. Shannon
Roy J. Cain	Dr. S. D. Laughlin	Dr. B. F. Shields
W. T. Carner	Hebron Lawrence	S. G. Smith
T. L. Caudel	Joseph Lazarus	H. A. Spillman
Charles M. Ciarlo	Elmer Lusby	Frank L. Strange
A. S. Cooper	R. C. Marcum	J. Mack Thompson
J. S. Cruse	I. S. Mason	C. B. Truesdell
P. A. Day	A. J. McCandless	John L. Trumbo
H. N. Dean	Homer C. McLellen	Daniel Vose
J. M. Foster	Claude D. Minor	Geo. C. Waggoner
Dr. T. H. Gamblin	T. P. Oliver	A. M. Wash
E. C. Hardin	T. C. Pryse	Gladstone Wesley
D. J. Howard	B. F. Reynolds	R. E. Wilborn
Robt. Humphreys	J. L. Richardson	V. M. Williamson
R. O. Huntsman	Sherman Robbins	Dr. W. S. Yazeli
J. W. Johnson	Lee Rogers	
Henry Kaufman	Dr. Lewis Ryans	

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following bills were sent to the Senate:

House Bills Nos. 332, 550 and 161.

Senate Bills Nos. 358, 166, 199, 356, 311, 57, 359, 206, 148, 231, 112, 45, 127, 182.

A message was received from the Senate announcing that it had passed Senate Resolution No. 31 entitled:

Resolution to have the name of General John Stuart Williams, an honored soldier, inscribed on the State Battle Monument in the Frankfort Cemetery.

Ordered, that said resolution be referred to the Committee on Rules.

Also that the Senate had concurred in House Resolution No. 30.

Ordered, that said resolution be enrolled.

Also that the Senate had concurred in House Resolution No. 43.

Ordered, that said resolution be enrolled.

The following bills were certified and sent to the Senate:

Senate Bill No. 204.

Senate Bill No. 1, with certain amendments thereto.

Senate Bill No. 28, with certain amendments thereto.

Mr. Waggoner moved that at the conclusion of the reading of the calendar and the report of the Enrollment Committee, the House take a recess until 7 p. m.

Said motion was agreed to.

Mr. Waggoner moved that the calendar be read and that the bills therein be read the second time by their titles only.

Said motion was agreed to.

Then the House took up for consideration from the calendar the following bills:

Senate Bill No. 369, entitled, an Act providing for the manner of the making of all annual and biennial reports of the various departments, commissions and agencies of the State Government, as now required by law, giving to the State Printing Commissioners power to determine what reports and what portions thereof shall be printed and distributed at public expense.

Senate Bill No. 69, entitled, an Act to repeal Chapter 85a, Section 2651a of Carroll's Statutes, entitled, "Merchandise—To Regulate Sale of in Bulk," and to enact a law in lieu thereof to regulate the sales in bulk of stocks of merchandise or fixtures of stocks and fixtures and to prescribe penalties for the violation thereof.

Senate Bill No. 324, entitled, an Act to amend and re-enact Section 518, Civil Code of Practice, relating to the modification of judgment after term by court rendering it.

Senate Bill No. 373, entitled, an Act to amend Section 3563, Kentucky Statutes, being Section 11 of an Act which became a law in the year 1916, being entitled, "An Act to amend and re-enact Sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, of the Kentucky Statutes, relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways, and thoroughfares in cities of the fourth class," so as to require counties to pay for the cost of all improvements imposed by the City Ordinance upon the property of counties abutting upon streets in cities of the fourth class to the same extent as other property owners.

Senate Bill No. 202, entitled, an Act to amend an Act entitled, "An Act to amend Section 6 of the Act approved March 23, 1910, entitled, 'An Act to promote and compel attendance

of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy," being Chapter 121 of the Acts of 1916; and also to amend Sub-Section 7 of Section 2978c of the Kentucky Statutes, (Edition of 1915), relating to the duties of truant officers.

Senate Bill No. 348, entitled, an Act relating to oil and natural gas; regulating the receipt of same into pipe lines, and the transportation and delivery thereof to consumers.

Senate Bill No. 321, entitled, an Act empowering the Board of Trustees of any graded common school district to condemn any land deemed necessary by said board, not exceeding ten acres, for a site for a graded common school, and providing the manner in which said land may be condemned.

Senate Bill No. 366, entitled, an Act amending Sub-Section 1 of Section 3643, Kentucky Statutes, (Carroll's 1915 Edition), by eliminating from said section the words, "The cost of constructing or reconstructing the intersection or crossing of streets, avenues and highways shall be at the expense of the city."

Senate Bill No. 122, entitled, an Act for the benefit of the American Printing House for the Blind, and making an appropriation for it.

Senate Bill No. 175, entitled, an Act to grant immunity to all persons who have failed to assess intangible property in previous years, provided such property is assessed by the owner thereof for taxation as of July 1, 1920.

Senate Bill No. 271, entitled, an Act to amend and reenact Sections 3 and 4 of the Act approved March 18, 1912,

(Chapter 112, Page 372, Acts of 1912), entitled: "An Act to repeael 'An Act providing for the creation, control, and disposition of a fund to be used in pensioning, under certain conditions, policemen, and the families of deceased policemen, in cities of the first class,' approved March 3, 1904, and to provide for the appointment of trustees and the raising or creation, the management and disbursement, of a fund to be employed in pensioning, under conditions provided, policemen and the families of deceased policemen in cities of the first class," said Sections 3 and 4 of said Act being Sub-Sections 3 and 4 of Section 2872a, Kentucky Statutes, Carroll's Edition of 1915.

Senate Bill No. 272, entitled, an Act to amend and re-enact Sections 3 and 4 of the Act approved March 18, 1912, (Chapter 122, Page 428, Acts of 1912), entitled: "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled, 'An Act to amend "An Act for the government of cities of the first class," approved July 1, 1893, for the better government, administration and disposition and discipline of the fire department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class;" said Sections 3 and 4 of said Act being Sub-Sections 17 and 18 of Section 2896a of the Kentucky Statutes, Carroll's Edition of 1915.

Senate Bill No. 30, entitled, an Act to provide, except in certain cases, for the taking of testimony of witnesses orally in open court in suits of equity in Circuit Courts, other than those of continuous session; to provide for the keeping of an

equity trial docket; and to allow the taking of depositions in such cases in certain exceptional instances and kinds of suits.

Senate Bill No. 223, entitled, an Act to amend an Act entitled, "An Act entitled an Act to amend Sections 854 to 878, both inclusive, of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll, and to regulate the organization, incorporation, operation and management of building and loan associations, creating the Department of Building and Loan Associations in the office of the Banking Commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth," of the Acts of 1918, by striking out of Section 865a the following: "Provided no loans shall be made upon paid up, fully paid up or matured stock."

Senate Bill No. 370, entitled, an Act providing for the appropriation of money for the construction and maintenance of a road leading from the Brownsboro road to the monument and grave of Zachary Taylor, in Jefferson County, Kentucky, and for placing in repair the grave of Zachary Taylor, and providing for the appointment by the Governor of a commissioner to have charge of said work.

Senate Bill No. 156, entitled, an Act to amend Section Twenty-one (21), Chapter One (1), Title Three (3), of the Civil Code of Practice, providing for the bringing of actions by persons acting for others.

Senate Bill No. 110, entitled, an Act making it unlawful for any person to cut off, erase, deface or in any manner remove from an automobile the manufacturer's serial number, or the serial number of the motor; providing penalty therefor, and providing that the ownership, possession or control of an automobile from which either of said serial numbers have been erased, defaced, cut off or removed, shall be prima

facie evidence that same was done by the person owning, possessing or having control of said automobile.

Senate Bill No. 344, entitled, an Act to amend and reenact Sub-Section 3 of Section 331e of the Kentucky Statutes, Carroll's Edition of 1915, relating to the compensation of probation officers.

Senate Bill No. 261, entitled, an Act to abolish the office of Trustee of the Jury Fund, which shall become operative on and after the first Monday in January, 1922, and to require clerks of the Circuit Courts of the several districts in this Commonwealth who shall be elected at the regular November election in 1921, to perform thereafter all the duties required by the Trustee of the Jury Fund under the laws of this Commonwealth, and which duties shall become a part of the duties of the office of Circuit Clerks, with provision for compensation therefor.

Said bills were severally read the second time by their titles and ordered to be placed in the Orders of the Day.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

House Bill No. 181, entitled, an Act to prohibit and provide penalties for the manufacture, sale, transportation, or other disposition of spirituous, vinous, malt or intoxicating liquors except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky and to regulate the manufacture, sale and transportation of alcohol for non-beverage purposes thereunder.

House Bill No. 471, entitled, an Act to amend Section 4 of Chapter 118 of the Session Acts of 1918, entitled, "An Act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud horse, jack, or bull in this

Commonwealth, fixing the date of the expiration of licenses provided for, and providing the manner of registering and recording the breed, name, age, color, sire and dam of the animal to be licensed and fixing a fee for such registration, and fixing penalties for failure to provide licenses.”

House Bill No. 80, entitled, an Act to repeal and re-enact Chapter 22b, Section 415b, Kentucky Statutes, Carroll’s 1915 Edition, and all amendments thereto.

House Bill No. 434, entitled, an Act appropriating money for the operation and maintenance of the various Departments, Boards, Commissions, Institutions and Agencies of the State Government, except for the Legislative and Judicial Departments and except for the common schools, for the fiscal year ending June 30, 1921, and appropriating money for making permanent repairs and improvements for the benefit of said Departments, Boards, Commissions, Institutions and Agencies: designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills and resolution of the following titles, viz.:

House Resolution No. 42, entitled, joint resolution for the benefit of the Chief Clerks and Assistant Clerks of the House of Representatives and Senate.

House Bill No. 467, entitled, an Act imposing a license tax on race tracks, at which races are run for purses or prizes, under the jurisdiction of the Kentucky State Racing Commission, and which license tax is in lieu of all other license, income, excise, special or franchise tax to the State of Kentucky, or any county, city, town, municipality or other political subdivision thereof; and directing the determining, fixing, announcing and publishing the number, value and amount of the purses and prizes to be offered at all race meetings.

House Bill No. 412, entitled, an Act to establish an Athletic Board of Control and prescribing the duties and power of same and to license and regulate the giving or holding of boxing or sparring contests or exhibitions in this State, providing for the payment of a tax and license, and prohibiting any betting or gaming at any such contest, and providing of penalty for violation of this Act.

House Bill No. 415, entitled, an Act relating to revenue and taxation, requiring an excise or license tax to be paid on all gasoline or any substitute therefor sold at retail in this State and requiring any person engaging in business or selling gasoline or any substitute therefor at retail to pay said tax for the privilege of engaging in said business; providing the manner of collecting said tax, requiring reports and fixing fines and penalties for violations of the Act.

Whereupon all other business was suspended, said bills and resolution were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bills and resolution.

Ordered, that the Enrolling Clerk deliver said bills and resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills and resolution which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills and resolution which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

House Bill No. 313, entitled, an Act to amend and reenact Section 18, Chapter 1, Acts of 1917, which is now Section 4114i-18, Kentucky Statutes, relating to the duties of the State Tax Commission, and providing for a review of its acts by the courts.

House Bill No. 211, entitled, an Act to amend Chapter 132, 1918 Acts of the Kentucky Legislature, same being an amendment to Section 2514, Kentucky Statutes, Carroll's 1915 Edition, entitled, "Actions that must be brought within fifteen years after accrual of right."

House Bill No. 225, entitled, an Act providing for county libraries and for the extension of library privileges to counties in this Commonwealth.

House Bill No. 435, entitled, an Act appropriating money for the operation and maintenance of the various departments, boards, commissions, institutions and agencies of the State Government, except for the legislative and judicial departments and except for the common schools for the fiscal year ending June 30, 1922, and appropriating money for making permanent repairs and improvements for the benefit of said departments, boards, commissions, institutions and agencies; designating the sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills and resolutions of the following titles, viz.:

Senate Bill No. 333, entitled, an Act to amend and re-enact Section 3105 of the Kentucky Statutes, 1915 Edition, relating to public improvements in cities of the second class.

Senate Bill No. 176, entitled, an Act repealing Section 4385a, and Chapter 123 of the Acts of 1916, and re-enacting in lieu thereof an entire new chapter, relating to employees of the Superintendent of Public Instruction.

Senate Bill No. 170, entitled, an Act relating to the collection of inheritance tax, requiring certain reports of County Court Clerks and imposing certain duties upon the State Tax Commission and otherwise designating a method of procedure in the collection of such tax.

Senate Bill No. 11, entitled, an Act to create a commission for the purpose of making a survey of the educational systems of Kentucky supported wholly or in part from public funds; prescribing the duties and powers of said commission; fixing penalties for failure of persons in charge to co-operate with them; appropriating funds for the expense of the work; declaring the existence of an emergency.

Senate Bill No. 53, entitled, an Act to change the time of holding the Circuit Courts in the Twenty-fourth Judicial District of Kentucky.

Senate Bill No. 250, entitled, an Act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per car load.

Senate Resolution No. 25, entitled, resolution for the benefit of the Chief Clerks and Assistant Clerks of the Senate and House of Representatives.

Senate Bill No. 39, entitled, an Act entitled an Act to amend an Act approved March 20, 1914, Chapter 69, session 1914, Carroll's Statutes, Section 2739, to regulate, license and govern use of motor vehicles and provide penalty for a violation thereof.

Senate Bill No. 143, entitled, an Act to suppress mob violence and prevent lynching; providing for punishment of persons violating the provisions of the Act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

Senate Resolution No. 27, entitled, Resolution requesting Congress to enact legislation to enable the United States Government to purchase liquors in bonded warehouses.

Senate Resolution No. 28, entitled, Resolution commending Susannah Hart Shelby Chapter of the National Society of Daughters of the American Revolution.

Whereupon all other business was suspended, said bills and resolutions were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills and resolutions.

Ordered, that the Enrolling Clerk deliver said bills and resolutions to the Senate.

Then the House, at 5:20 p. m., took a recess until 7 p. m.

EVENING SESSION.

The House reconvened at 7 o'clock p. m.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 17. An Act to amend Sub-Section 9 of Section 331e of Chapter 18 of the Kentucky Statutes, which was an Act of February 24th, 1894, pertaining to children destitute or maltreated.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sub-Section 9 of Section 331e of Chapter 18 of the Kentucky Statutes be amended by adding to said subsection the following:

“Provided that the status of no child, who has been already adopted by any person by order or judgment of a Circuit Court having jurisdiction under the laws of the Commonwealth relating to adoption of children, may be affected or changed by any order of the county or juvenile court otherwise having control of the status of the child.”

So that said Sub-Section 9 of said Section 331e of Chapter 18 of the Kentucky Statutes, when amended, will read as follows:

When any child shall be found to be dependent or neglected within the meaning of this Act, the court may allow such child to remain in its own home, subject to the friendly visitations of a probation officer, such child to report to the probation officer as often as may be required, and if the parents, parent or guardian or person having the custody, control or supervision of such child consent thereto, or if the court shall find that the parents, parent, guardian or person having its

custody, control or supervision are unfit or improper guardians, or are unwilling or unable to care for, protect, educate or discipline such child, and shall further find it is for the interest of such child and for the people of this State that such child be taken from the custody or control of its parent, parents, guardian or person having its custody, control or supervision, the court may cause such child to be placed in a suitable home, subject to the friendly visitation and supervision of a probation officer, or cause it to be boarded out in some suitable family home, in case provision is made by voluntary contribution or otherwise for the payment of the board, and subject to the friendly visitation and supervision of a probation officer; or the court may commit such child to the care of some association, society or corporation willing to receive it, embracing in its objects the care of neglected, dependent or delinquent children, provided, however, that the court shall not commit any dependent or neglected child, within the meaning of this Act, to any association, society or corporation receiving delinquent children unless suitable provision is made by such association, society or corporation for separating delinquent from neglected or dependent children. Any dependent or neglected child committed as herein provided shall be committed for such time during its minority as the court may deem fit, and the court at any time thereafter may set aside, change or modify such order. Provided that the status of no child, who has been already adopted by any person by order or judgment of a circuit court having jurisdiction under the laws of the Commonwealth relating to adoption of children, may be affected or changed by any order of the county or juvenile court otherwise having control of the status of the child.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. M. Billiter	Joseph Lazarus	H. G. Skiles
W. M. Boling	Elmer Lusby	S. G. Smith
Roy J. Cain	R. C. Marcum	H. A. Spillman
W. T. Carner	A. J. McCandless	R. Lee Stewart
J. F. Carr	R. L. McFerron	Wm. A. Stewart
T. L. Caudel	Homer C. McLellen	John T. E. Stites
A. S. Cooper	Harry J. Meyers	Frank L. Strange
J. S. Cruse	Claude D. Minor	T. R. Stults
P. A. Day	John T. Murphy	John W. Swope
Dr. T. H. Gamblin	Estill W. Neel	John B. Thomas
J. W. Geveden	Chas. A. Nelson	C. B. Truesdell
Dr. W. L. Gossett	T. P. Oliver	John L. Trumbo
A. L. Hamilton	S. C. Ray	Fred C. VanHoose
E. C. Hardin	J. L. Richardson	Daniel Vose
Dr. W. L. Haynes	Sherman Robbins	A. M. Wash
J. W. Johnson	Lee Rogers	J. S. Webb
Henry Kaufman	B. A. Roth	Dr. T. R. Welch
Griffin Kelly	Dr. Lewis Ryans	R. E. Wilborn
Frank Kennard	Chas. R. Scott	Dr. W. S. Yazell
J. M. Knott	W. P. Scott	
Hebron Lawrence	E. E. Shannon	

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Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 68. An Act pertaining to the adoption of children and the powers of societies and institutions in child welfare work, through their officers, to consent to adoptions, and concerning the reclaiming of children by parents or others; and legalizing the adoptions heretofore made which would otherwise be invalid for lack of power to consent.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Whenever any child has been found by a judge of a juvenile or county court, after a trial in open court, to be neglected, dependent or delinquent, and the custody, keeping and control of such child have been given, by order of such judge, to any society or association, organized and carrying on the work of caring for, protecting and finding permanent homes or foster-parents for neglected, dependent or delinquent children, the superintendent or other similarly acting and empowered officer of such society or association shall be vested with the power and authority to give the consent of the parent or parents of such child and of such society or association, in any proceeding in a circuit court under Sections 2071 and 2072 of the Kentucky Statutes, to the adoption and parental control of such child by any person, under said sections seeking to adopt and take parental control of such child, and the consent of such superintendent or other such officer of such society or association shall be for and in behalf of such society or association and in lieu of the consent of the parent or parents of such child: Provided, however, that no consent for the adoption or parental control of any child in the custody, keeping or control of any such society or association under any order

of a judge of a juvenile or county court shall be given by any such superintendent or other such officer of any such society or association until after the expiration of twelve months from the time of the order of the judge of the juvenile or county court giving the custody, keeping and control of such child to such society or association; and provided further that nothing in this Act shall deprive the parent or parents of such child of the right, during said period of twelve months, of redeeming and reclaiming the custody, keeping and control of such child by satisfactory proof adduced to the judge of the juvenile or county court originally committing the child to such society or association that they or either of them are able, willing and fit to assume the proper custody, keeping and control of the child; and provided further that no wish, desire, act or proceeding of any person or persons standing in loco parentis or otherwise to such child, other than the parent or parents and in case of the actual parent or parents only during said period of twelve months, shall affect or abridge the rights or powers herein given to such society or association, exercised through its superintendent or other such officer, or the rights or powers of any person adopting such child, by and with the consent of such superintendent or other such officer, as to the full, complete and permanent adoption in the circuit court of the child under and subject to the terms and conditions of adoption agreed upon, if such there be, between such society or association and the person adopting the child. It is provided herein that any adoption of any child heretofore attempted to be made shall not be held to be invalid because of any lack of authority on the part of the institution having the custody of said child to grant a valid consent.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and defeated.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	R. L. McFerron	S. G. Smith
W. M. Boling	Homer C. McLellen	R. Lee Stewart
Charles M. Ciarlo	Harry J. Meyers	T. R. Stults
J. S. Cruse	Claude D. Minor	John W. Swope
H. N. Dean	John T. Murphy	John B. Thomas
A. L. Hamilton	Estill W. Neel	C. B. Truesdell
A. R. Hudson	S. C. Ray	J. Wood Vance
Adam W. Huff	B. A. Roth	Geo. C. Waggoner
Robt. Humphreys	Dr. Lewis Ryans	V. M. Williamson
Dr. S. D. Laughlin	Chas. R. Scott	Dr. W. S. Yazell
Joseph Lazarus	W. P. Scott	
R. C. Marcum	E. E. Shannon	

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Those who voted in the negative were—

L. H. Ballard	E. C. Hardin	Lee Rogers
J. M. Billiter	Dr. W. L. Haynes	Dr. B. F. Shields
Rodney G. Bryson	J. W. Johnson	H. G. Skiles
Roy J. Cain	Griffin Kelly	H. A. Spillman
W. T. Carner	Frank Kennard	Wm. A. Stewart
J. F. Carr	J. M. Knott	John T. E. Stites
T. L. Caudel	Hebron Lawrence	Frank L. Strange
A. S. Cooper	A. J. McCandless	John L. Trumbo
P. A. Day	Mack J. Morgan	A. M. Wash
J. M. Foster	Chas. A. Nelson	J. S. Webb
Dr. T. H. Gamblin	T. P. Oliver	Dr. T. R. Welch
J. W. Geveden	B. F. Reynolds	Gladstone Wesley
Dr. W. L. Gossett	J. L. Richardson	W. G. Wheeler
A. F. Hanberry	Sherman Robbins	R. E. Wilborn

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Mr. Lazarus moved that the vote by which said bill was defeated be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 274. An Act to permit banks authorized to do business in Kentucky to act as fiduciaries.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all banks created, organized and doing business under the laws of the Commonwealth of Kentucky, and all national banks authorized by the comptroller of the currency of the United States of America, to engage in the banking business in the Commonwealth of Kentucky, shall be authorized, permitted, and are hereby given the right to act as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics, or in any other fiduciary capacity when selected, appointed, and authorized so to do by the court, persons, or organizations empowered under the laws of the Commonwealth of Kentucky to appoint trustees, executors, administrators, committees, receivers, assignees, guardians, or other fiduciaries; and to act as agent or attorney in fact for the transaction of any business or the management of estates, the collection of rents, accounts, interest, dividends, notes, bonds and demands of every character; provided, however, that such bank, either State or national, shall have unimpaired capital and surplus aggregating \$80,000.00 or more.

§ 2. Before such bank shall engage in the business of or act as fiduciary as herein authorized, it shall first obtain

from the banking commissioner of the Commonwealth of Kentucky a permit so to do, which permit will be granted by said commissioner upon application and a showing that said bank has an unimpaired capital and surplus aggregating \$80,000.00 or more.

§ 3. Each and all banks herein authorized to act in a fiduciary capacity shall keep accounts showing the fiduciary business separate from the banking business and said account shall be kept on a separate book, which shall at all times be open to the inspection of the State Banking Commissioner, his deputies and assistants; and in addition thereto, said bank shall report and settle their accounts at the time and with the officer to whom and with whom other fiduciaries are required to report to, and settle with.

§ 4. When acting as executor, administrator, guardian, trustee, receiver, assignee, committee, or curator, or in any other capacity in which the duties, powers, liabilities, rights and compensation are fixed or regulated by law, or under the control or supervision of the court, such bank shall be subject to the same duties and responsibilities, have the same rights and powers, and receive the same compensation as is allowed the individual holding or exercising similar offices or trusts; except that upon all bonds required to be executed by such corporation in, or before, any court, the capital stock shall be taken and considered as the only security required for the faithful performance of its duties; and no other security shall be required, unless the court or officer in or before whom the bond is executed, or some party in interest demands it.

§ 5. All Acts and parts of Acts in conflict with this Act and Section 612a of John D. Carroll's Kentucky Statutes (Edition of 1915), and Chapter 137 of Acts of 1918, are repealed.

Mr. Stults offered the following amendment:

Amend Senate Bill No. 274 by striking out all of Section 5 thereof and insert in lieu thereof the following: "All Acts or parts of Acts in conflict herewith are hereby repealed."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Dr. T. H. Gamblin	Homer C. McLellen
L. H. Ballard	Dr. W. L. Gossett	Claude D. Minor
J. M. Billiter	A. L. Hamilton	Mack J. Morgan
W. M. Boling	A. F. Hanberry	John T. Murphy
Jo F. Bosworth	Dr. W. L. Haynes	Estill W. Neel
Rodney G. Bryson	Talbert Holliday	Chas. A. Nelson
Roy J. Cain	Adam W. Huff	T. C. Pryse
W. T. Carner	Robt. Humphreys	J. L. Richardson
J. F. Carr	R. O. Huntsman	Sherman Robbins
T. L. Caudel	J. M. Knott	Lee Rogers
Charles M. Ciarlo	Joseph Lazarus	B. A. Roth
A. S. Cooper	I. S. Mason	Dr. Lewis Ryans
J. M. Foster	R. L. McFerron	Chas. R. Scott

W. P. Scott	John B. Thomas	A. M. Wash
Dr. E. F. Shields	J. Mack Thompson	J. S. Webb
H. G. Skiles	Dr. D. J. Travis	Dr. T. R. Welch
S. G. Smith	C. B. Truesdell	Gladstone Wesley
H. A. Spillman	John L. Trumbo	R. E. Wilborn
John T. E. Stites	J. Wood Vance	V. M. Williamson
T. R. Stults	Daniel Vose	Dr. W. S. Yazell
John W. Swope	Geo. C. Waggoner	—62

Those who voted in the negative were—

E. C. Hardin	W. L. Kimbrough	T. P. Oliver
A. R. Hudson	Dr. S. D. Laughlin	S. C. Ray
J. W. Johnson	Hebron Lawrence	B. F. Reynolds
Griffin Kelly	Elmer Lusby	Frank L. Strange
Frank Kennard	A. J. McCandless	—14

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 200. An Act to amend Section 63 of the Kentucky Statutes, Carroll's Edition, 1915, and Acts amendatory thereto, relating to the State Board of Health, by repealing, amending, and re-enacting Sections 2047 and 2053 of said Statutes, and by adding sections creating other bureaus within said board, and by further defining the duties of said board.

Said bill reads as follows:

PREAMBLE.

Whereas, upon the invitation of the Governor of this Commonwealth, the National Child Labor Committee, acting through a large corps of highly trained experts, has recently

completed a careful investigation into conditions affecting child welfare, covering the entire State, but more intensive in representative typical counties in every section, which reveals conditions detrimental to proper bodily development and dangerous to health and life in a large percentage of the homes and schools in country districts and small towns, and in the mines and industrial communities in almost every section of the State where they exist, and

Whereas, These conditions and the necessity of remedying them, long recognized by the leaders in the medical profession, health and welfare workers, by the Women's Clubs and local chapters of the American Red Cross, are fully confirmed by official reports made under the draft laws during the late World War, which show that 28 per cent of the young men of Kentucky within the draft age had such physical defects as to render them unfit for military service in that great national emergency, and as a large percentage of them were for the duties and responsibilities of civil life, including the paramount duty of fatherhood, essential to the perpetuation of a strong healthy race, and,

Whereas, in spite of the gradual decrease in the sick and death rate from tuberculosis, from typhoid fever and the marked decrease in diphtheria, official reports from all of the counties show—for the nine years that the Vital Statistics law has been in operation—that 60 per cent of the sickness and 44 per cent of the deaths are from diseases which can and ought to be prevented, most of them occurring in children or persons in or just approaching the most productive period of life, many of them young mothers and fathers; and entailing an annual drain upon the financial resources of the Commonwealth far in excess of the taxes levied each year for all municipal, county, and State purposes; and

Whereas, a vast experience in other States and countries has demonstrated that such widespread conditions producing ill health, premature death and inefficiency, cannot be met and remedied without a strong and adequately supported central

organization for the State, and a system of county health officers and public health nurses, especially trained in the underlying causes and prevention of sickness, who are so supported that they can devote their entire time and lives to this work, and in securing the co-operation of the people in conducting it until the practical benefits of modern scientific health knowledge are placed within the reach of every family and home; and with this purpose in view, now therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 2047, 2053, Chapter 63 of the Kentucky Statutes, Carroll's Edition of 1915, and Acts amendatory thereto, relating to the State Board of Health, be amended by striking out of said section and by inserting in lieu thereof, such words, that each of said sections respectively, when so amended, together with such added sections, shall read as follows:

§ 1. That Section 2047 of said Statutes, when so amended and re-enacted, shall read as follows: A board to be known as the State Board of Health is hereby established. It shall consist of nine members, all of whom shall be legally qualified practitioners under the laws of this Commonwealth, except one who shall be a recognized pharmacist; eight of whom shall be appointed by the Governor, by and with the advice of the Senate, and the ninth member, who shall be the Secretary and State Health Officer, shall be elected by the board and by virtue of his office as Secretary shall be a member of the board. One member of the board shall be a homeopathic, one an electric, and one an osteopathic physician, one a registered pharmacist, and the other members shall be regular allopathic physicians, all to be appointed by the Governor from a list of three names for each vacancy furnished respectively by the State Society or Association of such schools or systems of practice as are entitled to the member, and the said pharmacist member shall be appointed from a list of three names sub-

mitted by the Kentucky Pharmaceutical Association, and the successors of such members shall be appointed in the same manner. If the board shall elect one of its members Secretary, as it may do, the Governor shall appoint another member to complete the full number of the board. The President and Secretary and each member shall have authority to administer oaths about matters pertaining to their official duties, and the members of the board shall, before entering upon the discharge of their duties, take the oath prescribed by the Constitution for State officers.

§ 2. That Section 2053 as amended and re-enacted shall read as follows: That the President, Secretary and the heads of all bureaus and other officers and employees, shall receive annual salaries, to be fixed by the State Board of Health, to be paid as salaries and expenses are now paid. The other members of the board shall receive no per diem compensation for their services, except when sent by the board upon special duty as sanitary inspectors, and when preparing and conducting examinations under the provisions of Chapter 85 of the Statutes, but their travelling and other necessary expenses, while employed upon the business of the board shall be allowed and paid.

§ 3. That in addition to the bureaus already established by law, the State Board of Health is hereby authorized to create and maintain other bureaus, and in the rules and regulations which they are now authorized by law to make and promulgate, to provide for their effective operation. The board shall have authority, with the approval of the Governor, to réarrange or discontinue any such bureaus, or to create new ones in the interest of efficiency and economy in conducting its work. Bureaus are hereby created as follows:

(1) A Bureau for the Prevention of Trachoma and blindness, which shall have authority to establish and maintain hospitals, clinics and other activities for the study and prevention and treatment of Trachoma and the other causes of blindness.

(2) A Bureau of Child Hygiene, whose duties it shall be:

(a) To promote the establishment of maternity centers for the physical examination, instruction and supervision of expectant mothers, in order to make this important period of life safer for both mother and child; and to extend and make practical the services of public health nurses, especially in home visiting and to provide for instruction in the hygiene of maternity and the care of infants.

(b) To provide for the instruction, examination, licensing and registration of all midwives through County Health Officers and for the use of prophylactic solution adopted by the State Board of Health in the eyes of all infants at the time of birth.

(c) To promote the establishment of maternity hospitals or maternity wards in general hospitals, to the end that all complicated and dangerous cases may receive proper obstetrical care.

(d) To assist the Bureau of Vital Statistics to secure the registration of all births.

(e) To promote the establishment of children's and mothers' health centers for physical examination and for instruction in the care and feeding of infants and children of pre-school age.

(f) To conduct educational campaigns and prepare and distribute literature regarding the prevention of infant mortality and the conservation of child health.

(g) To act in co-operation with State, county and city boards of education in the sanitary location, construction, equipment and management of school buildings; in the improvement of water supplies and methods of sewage and waste disposal, and in all matters relating to physical education, and in developing a State program for playgrounds, recreation and the instruction of school children in the essentials of healthy living.

(h) Through its inspectors, county health officers and public health nurses, to conduct physical examinations of

school children and assist in the control of communicable diseases.

(3) A Bureau of Sanitary Engineering for the study and improvement of water supplies and methods of sewage and waste disposal, and the State Board of Health is empowered to provide standards of qualifications and issue certificates for the operatives in water and sewage plants.

(4) A Bureau of Housing to promote better ventilation, heating, water supplies and sewage disposal, and other conditions affecting sanitary housing in all rented or leased houses, or any houses provided as part compensation for labor, and in schools, factories, shops, offices, depots, theaters and other public places, and to advise the State Board of Health as to the establishment of standards not inconsistent with any State housing law now or hereafter enacted, and the approval of plans for the construction and maintenance of such buildings constructed after January 21, 1921, without cost to the owners thereof.

(5) A Bureau of Public Health Education which is authorized to use all channels for reaching the people with information regarding the public health and to conduct a school for health officers and public health nurses, under the supervision of the University of Louisville and the State Board of Health.

(6) A Bureau of Venereal Diseases, to educate the public and especially young people, as to the methods of spread and the disastrous results to individuals and to prevent the future generations from infection with gonorrhoea, chancroids and syphilis, including the frequent blindness in infants and others from these diseases, and also including the locomotor-ataxia, paresis and other forms of nervous degeneration and insanity produced thereby.

(7) A Bureau of Public Health Nursing to co-ordinate and co-operate with the work of county boards of health, county welfare leagues and health organizations, the State Tuberculosis Association, the State Federation of Women's Clubs,

the American Red Cross and all others interested in public health; in placing public health nurses in every county in Kentucky where, with the aid furnished from the public treasury, through the State Board of Health, provision can be made for their employment.

(8) A Bureau of County Health Work which shall supervise and co-operate with county or district health departments and assist in reducing the unnecessary sick and death rate within their jurisdictions.

§ 4. Any inspector or inspectors appointed by said board for the purpose of governing and carrying out the provisions of this Act, insofar as it relates to drugs, shall be a registered pharmacist and a graduate of a school recognized as in good standing by the Kentucky Board of Pharmacy and the appointment of such inspector or inspectors shall be made by the State Board of Health upon the nomination of the pharmacist member.

§ 5. That there is hereby created a fund for the purpose of extending State aid to counties or districts establishing and maintaining county or district departments of health as provided in Section 2054, Kentucky Statutes, as amended in 1918. When the duly qualified officials of a county or district certify to the State Board of Health a true copy of the order or vote establishing such health district and providing for its maintenance, and shall state the amount of the annual appropriation provided by said county or district, then, and in that event, the State Board of Health shall make an investigation as to the necessity for the development of such a county or district health department, and the adequacy of the appropriation made therefor, and shall report their findings to the Governor of the Commonwealth in writing. If the county or district department of health so established is maintained upon the standards required by the rules and regulations of the State Board of Health, and with the approval in writing of the Governor of the Commonwealth, it shall be the duty of the Auditor to draw his warrant in favor of the State Board

of Health for the use of each county which has established and proposes to maintain such county or district health department, for the sum of \$2,500 annually, and itemized statements of the entire expenditures for such county or district health department are to be filed with the Auditor.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	E. C. Hardin	Claude D. Minor
L. H. Ballard	Dr. W. L. Haynes	John T. Murphy
Rodney G. Bryson	Talbert Holliday	Estill W. Neel
Roy J. Cain	Adam W. Huff	Chas. A. Nelson
W. T. Carner	Robt. Humphreys	T. P. Oliver
J. F. Carr	Henry Kaufman	T. C. Pryse
T. L. Caudel	Griffin Kelly	S. C. Ray
Charles M. Ciarlo	Dr. S. D. Laughlin	B. F. Reynolds
A. S. Cooper	Hebron Lawrence	J. L. Richardson
J. S. Cruse	Joseph Lazarus	Sherman Robbins
P. A. Day	Elmer Lusby	B. A. Roth
Dr. T. H. Gamblin	R. C. Marcum	Dr. Lewis Ryans
Dr. W. L. Gossett	I. S. Mason	Chas. R. Scott
A. L. Hamilton	R. L. McFerron	W. P. Scott
A. F. Hanberry	Homer C. McLellen	E. E. Shannon

Dr. B. F. Shields	John W. Swope	Geo. C. Waggoner
H. G. Skiles	John B. Thomas	A. M. Wash
S. G. Smith	J. Mack Thompson	J. S. Webb
H. A. Spillman	Dr. D. J. Travis	Gladstone Wesley
R. Lee Stewart	C. B. Truesdell	W. G. Wheeler
Wm. A. Stewart	John L. Trumbo	R. E. Wilborn
John T. E. Stites	J. Wood Vance	V. M. Williamson
Frank L. Strange	Fred C. VanHoose	Dr. W. S. Yazell
T. R. Stults	Daniel Vose	—71

Those who voted in the negative were—

J. M. Billiter	J. W. Johnson	A. J. McCandless
W. M. Boling	Frank Kennard	
H. C. Duffy	J. M. Knott	—7

Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 364. An Act relating to the levy and assessment of taxes and providing the manner of assessment and collection of taxes in all schools in the Commonwealth maintained, operated or conducted under any charter granted by this Commonwealth.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all taxes hereafter levied or assessed by the Board of Trustees or Board of Education of any graded or

common school maintained, operated or conducted under any charter heretofore granted by this Commonwealth shall be levied in the manner provided for by said special charters; but the tax so imposed shall be collected upon the assessed value of the property in the district as ascertained by the assessment made for State and county purposes next preceding the collection of the tax, and may be collected by the sheriff of the county, or by a collector appointed for that purpose by the Board of Trustees; and the collector or sheriff shall have the same power in the collection of such tax as he has in the collection of State tax and the same penalty shall be added for a failure to pay the same and it shall be collected at the same time and in the same manner as the State tax, and the same compensation shall be paid for its collection as is paid for the collection of State revenue.

§ 2. Whereas there are a number of schools in the Commonwealth known as the "Special Charter Schools," which now have no adequate remedy for the assessment or collection of taxes, and, whereas, said schools will need funds for the ensuing year and before this law would become effective in the usual course, an emergency is declared to exist and this law shall take effect immediately upon its passage and approval by the Governor.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Griffin Kelly	W. P. Scott
L. H. Ballard	Frank Kennard	E. E. Shannon
J. M. Billiter	W. L. Kimbrough	Dr. B. F. Shields
W. M. Boling	J. M. Knott	H. G. Skiles
Roy J. Cain	Dr. S. D. Laughlin	S. G. Smith
W. T. Carner	Hebron Lawrence	H. A. Spillman
J. F. Carr	Joseph Lazarus	R. Lee Stewart
T. L. Caudel	Elmer Lusby	Wm. A. Stewart
Charles M. Ciarlo	R. C. Marcum	John T. E. Stites
A. S. Cooper	I. S. Mason	Frank L. Strange
J. S. Cruse	A. J. McCandless	T. R. Stults
P. A. Day	R. L. McFerrer	John W. Swope
H. N. Dean	Homer C. McLellen	John B. Thomas
Dr. T. H. Gamblin	Mack J. Morgan	J. Mack Thompson
J. W. Geveden	John T. Murphy	Dr. D. J. Travis
Dr. W. L. Gossett	Estill W. Neel	C. B. Truesdell
A. L. Hamilton	Chas. A. Nelson	John L. Trumbo
A. F. Hanberry	T. P. Oliver	J. Wood Vance
E. C. Hardin	S. C. Ray	Daniel Vose
Dr. W. L. Haynes	J. L. Richardson	Geo. C. Waggoner
Talbert Holliday	Sherman Robbins	J. S. Webb
Adam W. Huff	B. A. Roth	Gladstone Wesley
J. W. Johnson	Dr. Lewis Ryans	V. M. Williamson
Henry Kaufman	Chas. R. Scott	Dr. W. S. Yazell

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 164. An Act to prevent the spread of hog cholera and other diseases, regulating the business of disposing of the bodies of dead animals by the process of burying, burning or cooking; providing for the issuance of licenses to persons, firms or corporations, permitting them to follow such business; providing for the inspection of plants where such business is carried on; providing for the violation of any of its provisions.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any person, firm or corporation desiring to engage in the business of disposing of the bodies of dead animals, by burying, burning or cooking; and any person, firm or corporation in such business and desiring to continue same, shall first procure from the State Veterinarian a license to do so, which license shall be for a period of one year and no longer.

§ 2. Any person, firm or corporation who shall obtain from any other person, firm or corporation, by purchase or otherwise, the body of an animal for the purpose of obtaining the hide, skin or grease from such dead animal or for the purpose of disposing of the carcass of such dead animal in any way whatsoever, shall be deemed to have engaged in the business of disposing of the bodies of dead animals and shall be subject to all the provisions and penalties of this Act. This Act shall not apply to any person, firm or corporation engaged in the business of gathering up and disposing of the bodies of dead fowls, cats, dogs and other small animals in cities and villages under contract with such cities and villages to dispose

of such dead bodies as garbage, nor to any person in such city or village who may employ another person to lawfully and legally dispose of the body of any animal which may have died in such city or village. Nothing in this Act shall apply to the original owner disposing of carcasses of dead animals on his own premises; but such owner shall not feed the carcass of any animal dying of a contagious disease to hogs.

§ 3. Any person, firm or corporation desiring a license to engage in such business shall file an application for such license with the State Veterinarian. Such applicant at the time he files such application shall pay to the State Veterinarian a fee of \$50.00. In case more than one inspection of the premises of said applicant is necessary as hereinafter provided the applicant shall pay a further fee of \$25.00 for each such inspection before the licenses shall be issued.

§ 4. Immediately after the filing of said application the State Veterinarian shall cause the premises, where such applicant desires to conduct such business, to be inspected. If the State Veterinarian shall find that such applicant is a responsible person, firm or corporation, and that the rules and regulations of the State Veterinarian as hereinafter provided for have been complied with, he shall issue a license to such applicant.

If said State Veterinarian shall find that such rules and regulations have not been complied with, he shall notify the applicant of that fact and shall specify in writing the changes that must be made before such license will be issued.

Upon request of the applicant and payment by him of the additional fee provided for in Section 3 the State Veterinarian shall cause a second inspection to be made and such proceedings shall be had as in the case of the first inspection.

§ 5. The State Veterinarian shall make and cause to be printed such reasonable rules and regulations for the carrying on of such business, for the physical and sanitary conditions of the premises and equipment as may seem to him to be

necessary and proper. He shall furnish copies of such rules and regulations to any person who shall apply for them.

§ 6. The State Veterinarian, in person or by deputy, shall inspect or cause to be inspected each place licensed under this Act at least once each year, and as often as the State Veterinarian may require, and shall see that the licensee conducts the business in conformity to this Act and to the rules and regulations made and established by the secretary of agriculture. For failure or refusal to obey the provisions of this Act or said rules and regulations by any licensee, the State Veterinarian may suspend or revoke the license held by such licensee.

§ 7. Proper blank applications for licenses shall be provided and furnished free to the applicant by the secretary of agriculture.

§ 8. Any person, firm or corporation holding license under the provisions of this Act may haul and transport hogs which are afflicted with and carcasses of hogs that have died of disease in a covered wagon bed or tank which is water tight and is so constructed that no drippings or seepings can escape from such wagon bed or tank. Provided, however, such wagon bed or tank shall be so constructed as to conform to the rules and regulations that may be established by the State Veterinarian and said carcasses shall not be moved from said wagon bed or tank except at the place of final disposal.

§ 9. Any person, firm or corporation violating any of the provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than two hundred dollars; such fines and penalties to be collected in the name of the Commonwealth of Kentucky. All moneys received for fines and license fees under this Act shall be paid to the State Veterinarian and by him paid into the State Treasury.

§ 10. It shall be the duty of the attorney general or any county attorney to prosecute all violations of this Act when so requested by the Veterinarian.

Mr. Cruse offered the following amendment, viz.:

Amend Senate Bill No. 164, Section 9, line 6, by inserting after the word "act" the following: "After the payment of expenses of the State Veterinarian for inspections under this Act."

Said amendment was adopted.

Mr. Morgan offered the following amendment, viz.:

Amend in line 13 by adding after the word "animal" *by burning*.

Said amendment was lost.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	W. T. Carner	J. S. Cruse
J. M. Billiter	J. F. Carr	P. A. Day
W. M. Boling	T. L. Caudel	J. M. Foster
Rodney G. Bryson	Charles M. Ciarlo	A. F. Hanberry
Roy J. Cain	A. S. Cooper	Dr. W. L. Haynes.

Talbert Holliday	John T. Murphy	J. Mack Thompson
R. O. Huntsman	S. C. Ray	Dr. D. J. Travis
J. W. Johnson	Sherman Robbins	C. B. Truesdell
Griffin Kelly	Lee Rogers	John L. Trumbo
Frank Kennard	Dr. Lewis Ryans	Fred C. VanHoose
J. M. Knott	W. P. Scott	Daniel Vose
Dr. S. D. Laughlin	E. E. Shannon	A. M. Wash
Hebron Lawrence	Dr. B. F. Shields	J. S. Webb
Elmer Lusby	W. G. Skiles	Dr. T. R. Welch
R. C. Marcum	S. G. Smith	Gladstone Wesley
Homer C. McLellen	R. Lee Stewart	V. M. Williamson
Harry J. Meyers	Wm. A. Stewart	Dr. W. S. Yazell
Mack J. Morgan	John T. E. Stites	

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Those who voted in the negative were—

H. N. Dean	Joseph Lazarus	Frank L. Strange
J. W. Geveden	R. L. McFerron	T. R. Stults
Dr. W. L. Gossett	Chas. A. Nelson	John W. Swope
Henry Kaufman	B. F. Reynolds	John B. Thomas

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 331. An Act fixing the salary of the Deputy Insurance Commissioner.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Deputy Insurance Commissioner shall receive an annual salary of three thousand dollars, to be paid monthly out of the Treasury of the Commonwealth, from the insurance fund, by warrant of the Auditor upon vouchers signed by the Commissioner.

Mr. VanHoose offered the following amendment, viz.:

Amend Section 1, line 2, change "three thousand dollars" to "twenty-five hundred dollars."

Said amendment was lost.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Jo F. Bosworth	T. L. Caudel	Dr. T. H. Gamblin
Rodney G. Bryson	Charles M. Ciarlo	Dr. W. L. Gossett
W. T. Carner	A. S. Cooper	A. L. Hamilton
J. F. Carr	P. A. Day	A. F. Hanberry

Dr. W. L. Haynes	Mack J. Morgan	John T. E. Stites
Talbert Holliday	John T. Murphy	T. R. Stults
Adam W. Huff	Estill W. Neel	John W. Swope
Robt. Humphreys	T. P. Oliver	Dr. D. J. Travis
R. O. Huntsman	T. C. Pryse	C. B. Truesdell
J. W. Johnson	S. C. Ray	John L. Trumbc
Henry Kaufman	J. L. Richardson	Fred C. VanHoose
W. L. Kimbrough	Sherman Robbins	Daniel Vose
Hebron Lawrence	Dr. Lewis Ryans	Geo. C. Waggoner
Elmer Lusby	Chas. R. Scott	A. M. Wash
R. C. Marcum	W. P. Scott	Dr. T. R. Welch
I. S. Mason	E. E. Shannon	Gladstone Wesley
A. J. McCandless	Dr. B. F. Shields	V. M. Williamson
R. L. McFerron	H. G. Skiles	Dr. W. S. Yazell
Homer C. McLellen	S. G. Smith	
Harry J. Meyers	R. Lee Stewart	

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Those who voted in the negative were—

H. C. Duffy	Joseph Lazarus	John B. Thomas
Frank Kennard	Chas. A. Nelson	J. Mack Thompson
J. M. Knott	B. F. Reynolds	J. S. Webb
Dr. S. D. Laughlin	Frank L. Strange	W. G. Wheeler

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 205. An Act regulating the transportation, delivery, and non-liability of common carriers by pipe line of crude petroleum or gas.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all persons, firms, corporations, and associations engaged in the business of transporting crude petroleum or gas by pipe line as a common carrier, may accept for transportation such oil or gas as is offered to it for that purpose from the party or parties in possession, and shall re-deliver the same upon the order of the consignor unless prevented by an order of some court of competent jurisdiction, and such delivery shall be made without liability on the part of such carrier to the true owner out of possession except from the time such order of court is served upon it in the same manner that summons is now required to be in civil actions.

§ 2. It appearing that a great demand for this legislation now exists for the protection of the oil industry, of the State, an emergency is hereby declared to exist, and this Act shall become effective upon its passage and approval.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Frank Kennard	E. E. Shannon
J. M. Billiter	J. M. Knott	Dr. B. F. Shields
W. T. Carner	Dr. S. D. Laughlin	H. G. Skiles
J. F. Carr	Elmer Lusby	S. G. Smith
T. L. Caudel	I. S. Mason	R. Lee Stewart
Charles M. Ciarlo	A. J. McCandless	Wm. A. Stewart
A. S. Cooper	R. L. McFerron	John T. E. Stites
J. S. Cruse	Homer C. McLellen	Frank L. Strange
P. A. Day	Harry J. Meyers	John W. Swope
H. N. Dean	Mack J. Morgan	J. Mack Thompson
J. M. Foster	John T. Murphy	Dr. D. J. Travis
Dr. T. H. Gamblin	Estill W. Neel	C. B. Truesdell
J. W. Geveden	Chas. A. Nelson	J. Wood Vance
Dr. W. L. Gossett	T. P. Oliver	Daniel Vose
A. F. Hanberry	T. C. Pryse	Geo. C. Waggoner
E. C. Hardin	S. C. Ray	A. M. Wash
A. R. Hudson	B. F. Reynolds	J. S. Webb
Adam W. Huff	J. L. Richardson	Dr. T. R. Welch
Robt. Humphreys	Sherman Robbins	W. G. Wheeler
R. O. Huntsman	Lee Rogers	V. M. Williamson
J. W. Johnson	Dr. Lewis Ryans	Dr. W. S. Yazell
Henry Kaufman	Chas. R. Scott	
Griffin Kelly	W. P. Scott	

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman moved to suspend the rules, and take from the hands of the Committee on Rules, Senate Bill No. 208, and that the House take up same for consideration.

Said motion was adopted.

Then the House took up for consideration, from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 208. An Act consolidating the office of jailer in this Commonwealth with that of sheriff in all counties other than those containing cities of the first and second class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the office of jailer be, and the same is hereby consolidated with the office of sheriff, and that the sheriff shall hereafter perform all of the duties incumbent upon the jailer, and shall receive all the compensation to which a jailer is entitled under the law.

§ 2. One of the sheriff's deputies shall, under the direction of the sheriff, have supervision of the county jail, and shall be known as "jailer" of the county.

§ 3. Counties in which are situated cities of the first and second class do not come under the provisions of this Act.

§ 4. This Act is not to be construed as affecting the present incumbents in the offices of jailer or sheriff.

§ 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Mr. Skiles offered the following amendment:

Amend Senate Bill No. 208 by striking out Section 3.

Said amendment was lost.

Mr. Humphreys offered the following amendment:

Amend Senate Bill No. 208 by adding "This bill shall not apply to counties having an assessed valuation of more than ten million dollars."

Said amendment was lost.

Mr. Gossett offered the following amendment:

Amendment to Senate Bill No. 208: "This Act shall not apply to counties in which are situated cities of the third and fourth class."

Said amendment was adopted.

Mr. Vance moved to table the bill and amendment.

Said motion was lost.

Mr. Haynes moved to make the bill a special order for 11 o'clock, a. m., tomorrow.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 144. An Act to repeal Sub-Section 8 of Section 331d, and Sub-Section 3 of Section 331g and the following words in Sub-Section 3 of Section 331e: "The county courts of the several counties of this State shall have exclusive jurisdiction in all cases coming within the terms and provisions of this Act," of the Kentucky Statutes (Carroll's 1915 Edition), and to increase the jurisdiction of the circuit courts by adding jurisdiction of all cases, powers and matters coming within the terms and provisions of an Act, entitled, "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming

within the terms and provisions of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children, and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all Acts amending said three Acts.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The jurisdiction of the circuit courts of this Commonwealth within their respective districts is hereby increased by adding thereto jurisdiction of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children, and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters

coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to, the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all Acts amending said three Acts. Provided, that whenever the circuit judge in districts where there is but one circuit judge shall be absent from the county or shall be disqualified by illness or other cause from performing the duties aforesaid, the county judge shall preside and act in his place during such absence or disability; provided that in counties having two circuit judges, they shall determine which one shall preside and perform the duties prescribed by this Act, and in case the judge performing the duties prescribed by this Act shall be absent from the county or shall be disqualified by illness or other cause from performing the duties aforesaid, then the other circuit judge shall preside and perform the duties prescribed by this Act during such absence or disability, and in case both of the circuit judges shall be absent from the county or shall be disqualified by illness or other cause from performing the duties aforesaid, then the county judge shall preside and act in their place during such absence or disability; and provided that in districts containing a population of more than 200,000 persons, the jurisdiction and powers granted by this Act shall be performed by one of the judges of the civil branches of the circuit court. Which judges shall act and perform the duties prescribed by this Act may be determined by the said judge of said civil branch of the court and if they can not agree then it shall be determined by lot. And in case the judge performing the duties prescribed by this Act shall be absent from the county or shall be disqualified by illness or other cause from performing the duties aforesaid, then one of the other of said judges shall perform the duties prescribed by this Act during such absence or disability, and if such circuit judges can not agree which one shall so act then the other judges not disqualified shall determine the same by lot. If all of the judges of the civil branches of

the court shall be absent from the county or disqualified from acting, then the judge of the criminal branch of the court shall preside and act in their places during such absence or disability, and of all of the judges of the circuit court shall be absent from the county or disqualified from acting, then the county judge shall preside and act in their places during such absence or disability.

§ 2. In counties having two or more judges they shall by orders made in general term provide for the distribution and allotment of the other cases and actions for trial.

§ 2½. The county courts of the State are vested with concurrent jurisdiction with the circuit courts of the State of all matters embraced within the terms of this Act, and whenever the circuit judges on account of being engaged in other public business shall be unable to perform the duties aforesaid the county judges, respectively, shall preside and act in the places of the circuit judges and the proceedings shall thereupon be in the county court.

§ 3. The following sub-sections and parts of sub-sections of the Kentucky Statutes (Carroll's 1915 Edition), are hereby repealed: Sub-Section 8 of Section 331d and the following words in Sub-Section 2 of Section 331e: "The county courts of the several counties of this State shall have exclusive jurisdiction in all cases coming within the terms and provisions of this Act," and Sub-Section 3 of Section 331g.

§ 4. The judge of the court exercising jurisdiction herein conferred within thirty (30) days after this Act takes effect shall appoint seven (7) persons, at least three (3) of whom shall be women, who shall be styled "Commissioners of the Circuit Court Juvenile Session," who shall serve without remuneration and whose terms of office shall be four (4) years and until their respective successors are appointed and qualified. The commissioners first appointed, after the passage of this Act, shall be divided into three classes and their terms shall be as follows:

Three shall be appointed for two (2) years;

Two for three (3) years; and

Two for four (4) years,

and upon the expiration of their respective appointments their successors shall be appointed for regular terms of four (4) years respectively. In the event of a vacancy in the office of commissioner, the judge shall fill such vacancy within thirty (30) days after such vacancy occurs and the appointee shall serve during the unexpired term to which he was appointed and until a successor is appointed and qualified. If the judge for any reason or cause shall fail to appoint commissioners at the expiration of the regular term of office, he shall as soon thereafter as possible appoint commissioners to serve during the remainder of the term of such commissioners whose terms of office have expired and until the successors have been appointed and qualified.

The judge may for cause shown remove any commissioner appointed hereunder, provided in any such proceeding due notice in writing shall have been given to such commissioner who shall be given an opportunity to be heard in his own defense. Such order of removal shall be entered of record in the order book of the court.

At the first regular meeting of such commissioners in each year said commissioners shall adopt and promulgate by-laws, rules and regulations not inconsistent with law. All meetings of said commissioners shall be open to the public, excepting the said commissioners may, when the public interest demands, go into executive session.

The fiscal court shall provide suitable rooms and accommodations, properly furnished, heated and lighted within the county court house, for the use of said commissioners and as a place for carrying on its work and preserving its records, and shall provide the necessary stationery, postage stamps and printing to be done for the official use of said commissioners, and the fiscal court shall annually provide, out of the funds raised by taxation in the county, a sufficient sum to cover the expenses of said commissioners. All bills of said com-

missioners, within the limit of the appropriation made for the maintenance of said commissioners, shall be paid by the county. Books of account of the said commissioners at all reasonable times shall be open to public inspection. Said commissioners shall have the following powers and perform the following duties:

A. Within thirty (30) days after their appointment shall organize themselves for the purposes provided herein, elect such officers from among themselves as they may deem wise for their own government.

B. Shall promulgate from time to time rules and regulations to be complied with by all applicants for the position of probation officer; shall prescribe the qualifications, conditions and tests to be met by an applicant for such position of probation officer. No probation officer shall be appointed by the judge except upon the recommendation made by the commissioners as hereinafter provided.

All appointments of probation officers hereunder shall be for probationary period of ninety (90) days, after which time, if such officer has performed satisfactory service, he or she, upon the recommendation of the commissioners, may be re-appointed by the judge, to hold office for a period of four years, unless sooner removed for cause.

C. Shall recommend to the judge for appointment by him persons to serve as the case may be as chief probation officers, assistant probation officers and volunteer probation officers. At least thirty (30) days before the appointment of any salaried probation officers, the court shall advise the said commissioners in writing that such appointment shall be made and shall request the commissioners to submit to him a list of names from which such appointment shall be made. The commissioners shall report to the court, one or more names for each appointment to be made and in their report shall state as fully as possible the qualifications of each applicant upon whom report is made and the reasons assigned for each recommendation. Such report shall be filed with the judge at

least ten (10) days before the time fixed for making the appointment herein and upon being filed with the judge said report shall become a public record and shall be open to public inspection at all reasonable times.

D. To recommend the removal of any probation officer for cause, such probation officer complained against to be heard in his own defense by the judge.

The judge shall appoint said officer or officers from said list so submitted; and if said judge shall refuse to make said appointment he shall immediately so report to said commissioners, who shall, within ten (10) days thereafter make further recommendations, which shall be acted upon likewise by said judge and said procedure shall continue until said officer or officers shall be appointed.

Probation officers in office at the time of the passage of this Act shall remain in office until removed as provided herein, and shall only be removed for cause.

§ 5. All Acts and parts of Acts in conflict herewith are to the extent of such conflict hereby repealed.

§ 6. If any section of this Act shall be held to be invalid, such invalidity shall not affect any other section of this Act, it being the intention of the General Assembly in enacting this Act to enact each section separately, and if any proviso or exception contained in any section of this Act shall be held to be invalid, such invalidity shall not affect the remaining portion of said section, it being the intention of the Legislature to enact each section of this act and each proviso and exception thereto separately.

Mr. McLellen offered the following amendments, viz.:

Amend Section 1, in line 25, by striking out "shall determine which one," and add in lieu thereof, "and the county judge shall determine which one of said three judges." Further amend—in line 29, by striking out "the other circuit judge," and insert in lieu thereof, "one of the other judges." In line 31 strike out "both of the circuit," and insert in lieu

thereof, "two of said." Further, in line 33, strike out "county," and insert in lieu thereof, "remaining."

In Section 2, line 1, by striking therefrom the words "two or more" and insert in lieu thereof the words "three or more circuit."

In Section 2½, page 4, lines 3 and 4, by striking out the words "on account of being engaged in other public business."

Amend Senate Bill No. 144 by striking therefrom all of Section 4.

Amend Senate Bill No. 144 by striking out the words "Section 5" and insert in lieu thereof the words "Section 4."

And further amend by striking out the words "Section 6" and insert in lieu thereof the words "Section 5."

Said amendments were adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	W. P. Scott	Dr. Lewis Ryans
J. M. Billiter	W. L. Kimbrough	E. E. Shannon
W. T. Carner	Dr. S. D. Laughlin	Dr. B. F. Shields
J. F. Carr	Hebron Lawrence	H. G. Skiles
A. S. Cooper	Joseph Lazarus	S. G. Smith
J. S. Cruse	Elmer Lusby	R. Lee Stewart
P. A. Day	I. S. Mason	Frank L. Strange
H. N. Dean	A. J. McCandless	T. R. Stults
J. B. Denues	R. L. McFerron	John W. Swope
J. M. Foster	Homer C. McLellen	John B. Thomas
A. L. Hamilton	Harry J. Meyers	Dr. D. J. Travis
A. F. Hanberry	John T. Murphy	C. B. Truesdell
E. C. Hardin	Estill W. Neel	John L. Trumbo
Dr. W. L. Haynes	T. P. Oliver	J. Wood Vance
Talbert Holliday	S. C. Ray	Daniel Vose
A. R. Hudson	B. F. Reynolds	A. M. Wash
Adam W. Huff	J. L. Richardson	Dr. T. R. Welch
R. O. Huntsman	Sherman Robbins	Gladstone Wesley
Henry Kaufman	B. A. Roth	Dr. W. S. Yazell

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Those who voted in the negative were—

L. H. Ballard	J. W. Johnson	Chas. A. Nelson
Charles M. Ciarlo	Griffin Kelly	Wm. A. Stewart
H. C. Duffy	Frank Kennard	John T. E. Stites
J. W. Geveden	J. M. Knott	J. Mack Thompson
Dr. W. L. Gossett	Mack J. Morgan	

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 345. An Act to amend and re-enact Sub-Section 1 of Section 1020; Sub-Section 4 of Section 1020; Sub-Section 6 of Section 1020 and Sub-Section 7 of Section 1020, of the Kentucky Statutes (Carroll's 1915 Edition) and to establish a domestic relations division of the chancery branch of circuit courts having seven judges, this division to have jurisdiction of all actions or special proceedings involving divorce, alimony, or both, and of all cases and matters coming within the terms and provisions of an Act entitled: "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases and matters coming within the terms and provisions of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all Acts amending these said Acts.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sub-Section 1 of Section 1020 of the Kentucky Statutes, Carroll's 1915 Edition, is hereby amended and re-enacted so as to read as follows:

Beginning with the next regular election after the year 1920, in every district entitled to seven circuit judges, each office of circuit judge shall be voted for separately. The ballots shall specify as follows: For judge of the circuit court, criminal branch; for judge of the circuit court, chancery branch, domestic relations division; for judge of the circuit court, chancery branch, general division; for judge of the circuit court, common pleas branch, first division; for judge of the circuit court, common pleas branch, second division; for judge of the circuit court, common pleas branch, third division; for judge of the circuit court, common pleas branch, fourth division.

The person receiving the largest number of legal votes marked criminal branch, shall be elected; and, in like manner, persons receiving respectively the largest number of legal votes marked chancery branch, domestic relations division; chancery branch, general division; common pleas branch, first division; common pleas branch, second division; common pleas branch, third division, common pleas branch, fourth division; shall be respectively elected. In case of a tie in any of said elections, the result shall be decided as in case of a tie vote between two or more candidates for single office.

§ 2. That Sub-Section 4 of Section 1020 of the Kentucky Statutes, Carroll's 1915 Edition, is hereby amended and re-enacted so as to read as follows:

Every circuit court in the Commonwealth having seven judges shall have seven branches, to be named, respectively, criminal branch; chancery branch, domestic relations division; chancery branch, general division; common pleas branch, first division; common pleas branch, second division; common pleas branch, third division; common pleas branch, fourth division.

§ 3. That Sub-Section 6 of Section 1020 of the Kentucky Statutes, Carroll's 1915 Edition, is hereby amended and re-enacted so as to read as follows:

All actions or special proceedings involving divorce or alimony, or both, and all cases and matters coming within the terms and provisions of an Act entitled, "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible therefor, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also all cases and matters coming within the terms and provisions of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children, and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also all cases and matters coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to, the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all actions, cases and matters coming within the terms and provisions of all Acts amending these said Acts shall be brought or instituted in the chancery branch, domestic relations division and assigned by the proper clerk to the chancery branch, domestic division. All other equitable actions shall be assigned to the chancery branch, general division.

For the purpose only of making up the issues whenever twelve actions or special proceedings not equitable are unassigned, the clerk shall, in the presence of one of the seven judges, write the style or number of each of said causes upon a separate card or slip of paper and place the said twelve cards or slips in a box or receptacle therefor prepared, and the judge shall in person draw them indiscriminately therefrom, one at a time, and assign them to the four divisions of the common pleas branch, giving to the first division the first

three drawn, to the second division the next three drawn, to the third division the next three drawn, and to the fourth division the last three drawn.

Statements of said drawing shall be at once made in writing in ink and signed by the judge in duplicate, one to be retained by the judge and one by the clerk. When an action is assigned according to law to its proper division, the clerk shall stamp the name of said division upon the petition filed and the rule docket and thereafter pleadings filed in said cases shall indicate the division in which they are filed.

Until said causes or proceedings are so assigned any order or orders required therein may be made by any one of said seven judges.

Of cases within the jurisdiction of the court, all criminal prosecutions and proceedings on bail bonds and recognizances in criminal cases shall be brought and prosecuted in the criminal branch.

Actions and proceedings in the other branches and divisions shall be tried in such branches and divisions according to rules of court to be made in general term; but the rules shall provide for re-assignment of cases and actions assigned to the chancery branch, domestic relations division, or chancery branch, general division to other divisions when such re-assignment is deemed necessary to relieve congested dockets, or for any other reason, deemed by the judges in general term to be sufficient, except that it is expressly provided that no divorce cases involving children, or other cases involving children properly belonging to the juvenile session of the domestic relations division under provisions of this Act shall be transferred or re-assigned from this division.

The rules of court made in general term shall provide for the trial of cases in the common pleas branch, after the issues are made up, in any of the divisions which may not be engaged when the cases are ready for trial without regard to the assignments of the cases as above required, so that when

a case is ready for trial it shall be taken up by the first division, which becomes disengaged, but the rules may provide for the sending of cases to other divisions for trial where a judge to whom it may be sent for trial for any reason may deem sufficient, except as otherwise provided. The clerk of the county court shall perform all the duties arising out of the said juvenile court acts, as now provided by law.

§ 4. That Sub-Section 7 of Section 1020 of the Kentucky Statutes, Carroll's 1915 Edition, is hereby amended and re-enacted to read as follows:

Each judge of the said court shall preside over the branch of the court to which he is elected during his entire term of office, except as hereinafter provided. The judge elected by ballots marked chancery branch, domestic relations division, shall, during his entire term, preside over the domestic relations division of said branch; the judge elected by ballots marked chancery branch, general division, shall, during his entire term, preside over the general division of said branch; the judge elected by ballots marked common pleas branch, first division, shall, during his entire term, preside over the first division of said branch; the judge elected by ballots marked common pleas branch, second division, shall, during his entire term, preside over the second division of said branch; the judge elected by ballots marked common pleas branch, third division, shall, during his entire term, preside over the third division of said branch, and the judge elected by ballots marked common pleas branch, fourth division, shall, during his entire term, preside over the fourth division of said branch.

When a vacancy is filled the judge appointed or elected to fill the same shall preside over the branch and division presided over by the judge whose place has become vacant, and if more than one vacancy is filled at any election, the judges so filling them shall preside over the branches respectively designated by the ballots electing them.

§ 5. Provisions of this Act shall go into force beginning with the next regular election after the year 1920.

§ 6. If any section of this Act shall be held to be invalid, such invalidity shall not affect any other section of this Act; it being the intention of the General Assembly in enacting this Act to enact such section separately; and if any proviso or exception contained in any section of this Act shall be held to be invalid, such invalidity shall not affect the remaining portion of such section; it being the intention of the Legislature to enact each section of this Act and each proviso of it separately.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	A. L. Hamilton	R. O. Huntsman
J. M. Billiter	A. F. Hanberry	Henry Kaufman
J. F. Carr	E. C. Hardin	Griffin Kelly
T. L. Caudel	Dr. W. L. Haynes	W. L. Kimbrough
A. S. Cooper	Talbert Holliday	J. M. Knott
J. S. Cruse	A. R. Hudson	Hebron Lawrence
P. A. Day	Adam W. Huff	Joseph Lazarus
J. B. Denues	Robt. Humphreys	Elmer Lusby

R. C. Marcum	B. A. Roth	John B. Thomas
I. S. Mason	Dr. Lewis Ryans	J. Mack Thompson
A. J. McCandless	W. P. Scott	Dr. D. J. Travis
Homer C. McLellen	E. E. Shannon	John L. Trumbo
Harry J. Meyers	Dr. B. F. Shields	J. Wood Vance
John T. Murphy	S. G. Smith	Daniel Vose
Estill W. Neel	R. Lee Stewart	A. M. Wash
T. C. Pryse	Wm. A. Stewart	Dr. T. R. Welch
S. C. Ray	Frank L. Strange	W. G. Wheeler
Sherman Robbins	T. R. Stults	R. E. Wilborn
Lee Rogers	John W. Swope	V. M. Williamson

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There voted in the negative---

J. W. Johnson

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 110. An Act making it unlawful for any person to cut off, erase, deface or in any manner remove from an automobile the manufacturer's serial number, or the serial number of the motor, providing a penalty therefor and providing that the ownership, possession or control of an automobile from which either of said serial numbers have been erased, defaced, cut off or removed, shall be prima facie evidence that same was done by the person owning, possessing or having control of said automobile.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That it shall be unlawful for any person to cut off, erase, deface or in any manner remove from an automobile in this Commonwealth the serial number placed thereon by the manufacturer thereof, or the serial number placed on the motor thereof.

Any person who shall cut off, erase, deface or in any manner remove either of said serial numbers aforesaid shall be guilty of a felony and upon conviction be sentenced to serve a term in the State Reformatory of not less than one nor more than five years.

The ownership, possession or control of an automobile in this Commonwealth from which or from the motor of which the said serial numbers, or either of them, have been erased, defaced, cut off or removed, shall be prima facie evidence that same was done by the person owning, possessing or having control of said automobile.

All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Humphreys offered the following amendment, viz.:

Amend Senate Bill No. 110 by striking out lines 9 to 13, inclusive, of Section 1.

Said amendment was lost.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. M. Billiter	Joseph Lazarus	R. Lee Stewart
W. M. Boling	R. L. McFerron	Wm. A. Stewart
W. T. Carner	Homer C. McLellen	Frank L. Strange
Charles M. Ciarlo	Harry J. Meyers	T. R. Stults
A. S. Cooper	John T. Murphy	J. Mack Thompson
J. S. Cruse	Estill W. Neel	Dr. D. J. Travis
J. B. Denues	T. P. Oliver	C. B. Truesdell
A. L. Hamilton	T. C. Pryse	John L. Trumbo
A. F. Hanberry	S. C. Ray	J. Wood Vance
E. C. Hardin	B. F. Reynolds	Fred C. VanHoose
A. R. Hudson	Sherman Robbins	A. M. Wash
R. O. Huntsman	Lee Rogers	Dr. T. R. Welch
Henry Kaufman	B. A. Roth	V. M. Williamson
Griffin Kelly	Chas. R. Scott	Dr. W. S. Yazell
Frank Kennard	Dr. B. F. Shields	
Hebron Lawrence	H. G. Skiles	

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Those who voted in the negative were—

P. A. Day	J. M. Knott	John T. E. Stites
J. W. Geveden	Dr. S. D. Laughlin	John W. Swope
Dr. W. L. Gossett	Elmer Lusby	John B. Thomas
Adam W. Huff	R. C. Marcum	Daniel Vose
Robt. Humphreys	L. S. Mason	R. E. Wilborn
J. W. Johnson	A. J. McCandless	
W. L. Kimbrough	S. G. Smith	

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 47. An Act to amend and re-enact Section 1069 of the Kentucky Statutes prohibiting the County Judge from practicing law in certain cases and providing certain duties of the County Judge and County Clerk.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1069 of the Kentucky Statutes be and it is hereby amended by inserting therein between the last two sentences thereof the following words:

“But nothing in this section shall be construed as prohibiting the county judge from practicing until it is finally determined, any litigation in which he was employed before his election, or which grows out of or is appealed from, any case in which he was employed before his election, or any case in which he may be personally interested.”

So that said Section 1069 as amended and re-enacted shall read as follows:

“No county judge shall prepare any pleadings to be filed or used in the quarterly or county courts of his own county, nor shall he practice as an attorney-at-law in any court of his own county having jurisdiction inferior to either of the courts aforesaid. He shall not act as counsellor or attorney in any cause pending in a court of his own county by appeal from either the quarterly or county courts, nor shall he bring or be

engaged as attorney in any suit in his own county involving the settlement of an estate of a decedent or the accounts of a fiduciary. A violation of any of the provisions of this section shall work a forfeiture of his office of county judge. But nothing in this section shall be construed as prohibiting the county judge from practicing, until it is finally determined, any litigation in which he was employed before his election, or which grows out of or is appealed from, any case in which he was employed before his election or any case in which he may be personally interested. The office of the county judge shall be at the county seat and be kept open at all reasonable hours for the transaction of business; and the duty of filing all papers and preserving same shall attach to both the judge and the clerk; and either may be held responsible for damage resulting from neglect in this particular."

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. M. Boling	Charles M. Ciarlo	H. N. Dean
W. T. Carner	A. S. Cooper	J. B. Denues
J. F. Carr	J. S. Cruse	J. W. Geveden
T. L. Caudel	P. A. Day	Dr. W. L. Gossett

A. F. Hanberry	Homer C. McLellen	H. G. Skiles
E. C. Hardin	Harry J. Meyers	S. G. Smith
A. R. Hudson	John T. Murphy	Wm. A. Stewart
Adam W. Huff	Estill W. Neel	Frank L. Strange
Robt. Humphreys	T. P. Oliver	T. R. Stults
Henry Kaufman	T. C. Pryse	John W. Swope
Frank Kennard	S. C. Ray	J. Mack Thompson
W. L. Kimbrough	B. F. Reynolds	John L. Trumbo
J. M. Knott	J. L. Richardson	J. Wood Vance
Hebron Lawrence	Sherman Robbins	Fred C. VanHoose
Joseph Lazarus	Lee Rogers	Daniel Vose
Elmer Lusby	B. A. Roth	A. M. Wash
R. C. Marcum	Dr. Lewis Ryans	Dr. T. R. Welch
I. S. Mason	Chas. R. Scott	R. E. Wilborn
A. J. McCandless	W. P. Scott	V. M. Williamson
R. L. McFerron	Dr. B. F. Shields	

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senate Bills Nos. 17, 200, 205, 364 and 331, which were passed, were sent to the Senate.

Senate Bills Nos. 144, 164 and 274 were passed by the House with certain amendments. Said amendments were certified to the Senate and said bills and amendments thereto returned to that body.

Senate Bills Nos. 47, 345 and 110 passed by the House were sent to the Senate.

The Committee on Rules reported the following bills with the expression of opinion that same ought to pass, viz.:

Senate Bill No. 369. An Act providing for the manner of the making of all annual and biennial reports of the various departments, commissions and agencies of the State Government, as now required by law, giving to the State Printing Commissioners power to determine what reports and what portions thereof shall be printed and distributed at public expense.

Senate Bill No. 138. An Act to amend and re-enact Chapter 162 of 1918 Acts of the Kentucky Legislature, which is an amendment to Section 4023 of the Kentucky Statutes, Carroll's Edition, 1915, relating to revenue and taxation.

Senate Bill No. 58. An Act providing for the oiling of the streets of towns of the sixth class of this Commonwealth.

Senate Bill No. 154. An Act to amend Section 18 of Chapter 112 of the Session Acts of 1918 of the General Assembly of Kentucky, said amendment authorizing the sheriff and his deputies to kill unlicensed dogs found running at large, and providing for the payment of the sheriff and his deputies for such service.

Mr. Lazarus moved that said bills be read the first time at length and placed in the calendar.

Said motion was agreed to.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Lazarus moved that the House do now adjourn.

Said motion was agreed to.

Then the House at 10:30 p .m. adjourned.

TUESDAY, MARCH 16, 1920.

The House was called to order at 10 a. m.

The House was opened with prayer by Rev. Roger T. Nooe, of the Christian Church, Frankfort.

The roll call to ascertain the presence of a quorum resulted as follows:

L. H. Ballard	J. W. Johnson	W. P. Scott
H. H. Barnes	Henry Kaufman	E. E. Shannon
W. T. Beckham	Griffin Kelly	Dr. B. F. Shields
S. M. Bennett	Frank Kennard	H. G. Skiles
J. M. Billiter	W. L. Kimbrough	S. G. Smith
W. M. Boling	J. M. Knott	R. Lee Stewart
Rodney G. Bryson	Dr. S. D. Laughlin	Wm. A. Stewart
Roy J. Cain	Hebron Lawrence	John T. E. Stites
W. T. Carner	Rev. J. A. Lee	Frank L. Strange
J. F. Carr	I. S. Mason	T. R. Stults
T. L. Caudel	A. J. McCandless	John W. Swope
A. S. Cooper	R. L. McFerron	John B. Thomas
P. A. Day	Homer C. McLellen	J. Mack Thompson
H. N. Dean	Harry J. Meyers	Dr. D. J. Travis
J. B. Denues	Claude D. Minor	John L. Trumbo
H. C. Duffy	Mack J. Morgan	Fred C. VanHoose
J. M. Foster	John T. Murphy	Daniel Vose
Dr. T. H. Gamblin	Estill W. Neel	Geo. C. Waggoner
J. W. Geveden	Chas. A. Nelson	A. M. Wash
Dr. W. L. Gossett	T. P. Oliver	J. S. Webb
A. L. Hamilton	T. C. Pryse	Dr. T. R. Welch
A. F. Hanberry	S. C. Ray	Gladstone Wesley
E. C. Hardin	B. F. Reynolds	W. G. Wheeler
Talbert Holliday	J. L. Richardson	V. M. Williamson
D. J. Howard	Sherman Robbins	W. N. Winn
A. R. Hudson	Lee Rogers	Dr. W. S. Yazell
Adam W. Huff	B. A. Roth	
Robt. Humphreys	Chas. R. Scott	

On motion of Mr. Roth, the reading of the Journal of Monday, March 15, 1920, was dispensed with and the Journal approved.

Mr. Richardson moved to call out of the hands of the Rules Committee Senate Bill No. 323 and place same upon its passage.

Said motion was agreed to.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 323. An Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto as to joint rates.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Railroad Commission shall have the same power to regulate the existing joint rates of two or more common carriers by rail wholly within the State of Kentucky that it now has to regulate the rates of a single carrier, and may, after due notice to the carriers, hear complaints and establish a through route and prescribe a just and reasonable maximum joint rate to be charged for the transportation of persons or property over such route, provided no just and reasonable through route or joint rate exists, and also prescribe an equitable division of such joint rate whenever the carriers themselves shall refuse or neglect to establish such through route or division of such joint rate. Any order of the Railroad Commission made under this section shall take effect and be in force after the expiration of ten days from the time the same shall be entered of record on the order book of the commis-

sion and a copy thereof certified by the secretary of the commission mailed to any officer, agent or attorney of the railroad affected thereby; and said order may be revoked or modified by a subsequent order likewise entered of record; and any carrier or official, agent or employe thereof knowingly or wilfully failing to comply with any order of the commission made and entered under the provisions of this section shall be guilty of the same offense and shall be proceeded against in a like manner as provided for a violation of Section 820a, Carroll's Edition, Kentucky Statutes.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Richardson moved that said bill be read the third time by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	J. F. Carr	J. M. Foster
W. T. Beckham	T. L. Caudel	Dr. T. H. Gamblin
S. M. Bennett	A. S. Cooper	J. W. Geveden
J. M. Billiter	P. A. Day	A. F. Hanberry
W. M. Boling	H. N. Dean	E. C. Hardin
Roy J. Cain	J. B. Denues	D. J. Howard
W. T. Carner	H. C. Duffy	A. R. Hudson

Adam W. Huff	Chas. A. Nelson	T. R. Stults
Robt. Humphreys	T. P. Oliver	John W. Swope
J. W. Johnson	S. C. Ray	John B. Thomas
Henry Kaufman	B. F. Reynolds	J. Mack Thompson
Frank Kennard	J. L. Richardson	Dr. D. J. Travis
W. L. Kimbrough	Sherman Robbins	John L. Trumbo
J. M. Knott	Lee Rogers	J. Wood Vance
Dr. S. D. Laughlin	Chas. R. Scott	Fred C. VanHoose
Hebron Lawrence	W. P. Scott	Daniel Vose
Joseph Lazarus	E. E. Shannon	Geo. C. Waggoner
Rev. J. A. Lee	Dr. B. F. Shields	A. M. Wash
I. S. Mason	H. G. Skiles	J. S. Webb
A. J. McCandless	S. G. Smith	Dr. T. R. Welch
R. L. McFerron	Wm. A. Stewart	Gladstone Wesley
Mack J. Morgan	John T. E. Stites	W. G. Wheeler
Estill W. Neel	Frank L. Strange	V. M. Williamson

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Those who voted in the negative were—

H. H. Barnes	A. L. Hamilton	John T. Murphy
Redney G. Bryson	Talbert Holliday	B. A. Roth
Charles M. Ciarlo	Homer C. McLellen	Dr. Lewis Ryans
J. S. Cruse	Harry J. Meyers	
Dr. W. L. Gossett	Claude D. Minor	

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Resolved, that the title thereof be as aforesaid.

Mr. Waggoner moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed the following bills:

House Bill No. 129.

Ordered, that said bill be enrolled.

House Bill No. 323, with amendments.

House Bill No. 389, with an amendment by way of substitute.

House Bill No. 314, with amendments.

Mr. Meyers moved that the consideration of the special order Senate Bill No. 208 be postponed until House Bill No. 389 can be taken up and disposed of.

Said motion was agreed to.

Mr. Meyers moved that House Bill No. 389 be referred to the Committee on Rules.

After some discussion said motion, by unanimous consent, was withdrawn.

Mr. Nelson moved that the House concur in Senate amendment by way of substitute to House Bill No. 389.

Said substitute is as follows:

Senate Bill No. 389. An Act to repeal and re-enact Chapter 18 of the Acts of 1916, which is an Act "prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats, and steamboat companies, telegraph companies and telephone companies, and all boats and other water craft propelled by the use of oil, gasoline or other means," so as to prescribe the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies, natural gas companies and natural gas transportation companies, and all other water craft propelled by the use of oil, gasoline or other means.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 18 of the Acts of 1916, which is now Sections 201e1 to 201e-22, inclusive, of Chapter 13a of the Ken-

tucky Statutes, Carroll's 1918 Edition, be, and the same is hereby repealed, amended and re-enacted so that the same will read as follows:

“The provisions of this Act shall apply to express companies, telephone companies, telegraph companies, natural gas companies and natural gas transportation companies, steamboats and steamboat companies, and all boats and other water craft propelled by the use of oil, gasoline or other means, whether incorporated or unincorporated and doing business in this State in the transportation of goods for hire or compensation between points in this State, or in receiving or transmission of messages between points in this State, or in the distribution, furnishing or sale of natural gas as a fuel for domestic or industrial purposes, but the provisions of this Act shall not embrace the operation of telephone companies within any city where the rates charged for the transmission of messages and other service may be regulated by local authority, or the operation of natural gas companies in any city where the rates are now or may be regulated by local authority; nor shall it embrace any telephone company that is operated only in three or less counties except for the purpose of making joint rates, nor any telephone company which has a capital stock of less than two thousand dollars, if incorporated, or if unincorporated tangible property of less value than two thousand dollars, except for the purpose of making joint rates, nor shall the provisions of this Act apply to any telephone or gas company, operating in any municipality under a franchise or contract fixing or regulating the rates which said company may charge, or the terms and conditions under which such company is operating; and every express company, telephone company, telegraph company, natural gas company, natural gas transportation company, steamboats and steamboat company, shall furnish reasonably adequate service and facilities and the charge made for any service rendered or to be rendered in the transportation of messages by telephone or telegraph, or in the distribution, furnishing or sale of

natural gas by any company, or for any service in connection therewith, shall be just and reasonable, and every unjust and unreasonable charge for such service, and every unreasonable rule, regulation or practice is hereby prohibited and declared to be unlawful.

§ 2. Every express company shall print and publish in legible form schedules or tariffs showing all the fares, rates and charges for the transportation of property and any service in connection therewith between different points on its route in the State of Kentucky. Such schedules shall be plainly printed and published in a legible form and a copy for the use of the public shall be kept in every depot, station or place where property is received for transportation convenient for public inspection, and a copy shall be filed by each of such companies with the Railroad Commission.

Every telephone or telegraph company shall print and publish in legible form schedules of its rates of toll showing all rates and charges for the transmission of any message from any point where a message is received for transmission in this State to any other point in the State where such message is to be delivered, and to subscribers for telephone boxes, and a copy of such schedule shall be kept by the agent of such company at every place where any such message may be received for transmission and such schedule shall be open to the public at all hours when messages are so received for transmission, and a copy of said schedule shall be filed with the Railroad Commission.

Every company distributing, furnishing or selling natural gas in this state shall print and publish, in legible form, a schedule showing the rates charged for natural gas furnished or sold by it in the different cities of this state and a copy of such schedule shall be filed with the Railroad Commission and with the city clerk or recorder of each city so furnished, and such schedule shall at all times be opened to public inspection.

§ 3. No change shall be made in the rate, tolls, fares or charges which have been filed and published by any of said companies except after not less than thirty days' notice to the Railroad Commission and to the public, published as aforesaid, and any changes to be made in the schedule then in force and the date of said proposed effective change shall be shown by the new schedules or supplements thereto printed and published in legible form. The back of said schedule shall indicate the page on which the proposed changes may be found and the particular change or changes shall be indicated by a star or stars opposite thereto; provided that the Railroad Commission may, in its discretion and for good cause shown enter an order of record allowing changes in the schedule upon less time, or modify the requirements of this Act in respect to publicly posting notices and filing schedules either in particular instances or by a general order applicable to special or particular circumstances or conditions.

§ 4. It shall be unlawful for any such company to demand, collect or receive a greater or less compensation for any service rendered than is specified in such printed schedule, and the rates, fares, tolls and charges specified therein shall be the lawful rates, fares, tolls and charges until same are changed as provided by law. The commission may prescribe such changes in the form in which the schedules are issued by any such company as may be found expedient.

§ 5. Whenever a duty or obligation is imposed upon any company mentioned in this act by law which relates to the rates, tolls, fares, classification, charges, service, rules, regulations or practice of any such company, or whenever a complaint is filed alleging a violation of this or any other law relative to such company, the same shall be under the supervision and regulation of the Railroad Commission which shall have authority, after due notice and hearing as provided by law, to issue an order fixing just and reasonable rules and regulations or practice to be thereafter followed, and to prescribe the rate or toll to be charged or service to be performed

thereafter to relieve any undue or unreasonable discrimination, prejudice or advantage found to exist in violation of law; and such rates, classifications, charges, fares, tolls, rules, regulations or practice so ordered shall be substituted for the rates, classifications, charges, fares, rules, regulations or practice then in force by any such company, and power is by this act conferred upon said commission to make and put into effect joint rates.

§ 6. Nothing in this act shall be construed to prevent special contract rates, tolls, fares or charges, but all such rates, tolls, fares or charges shall be open to all persons engaged in any like business or under similar circumstances and conditions, and shall be subject to the provisions of this act as to the printing and filing of the same, and all such rates shall be under the supervision and regulations of the Railroad Commission.

§ 7. Nothing in this act shall prevent such companies from handling property or messages free or at reduced rates for the United States, the state or county, or any municipality thereof, or for charitable purposes; or to and from fairs or expositions for exhibition thereat; or the private property or messages for their own exclusive use or consumption of the officers, agents, employes, attorneys, physicians or surgeons and their families of companies subject to the provisions of this act; nor prevent the exchange of passes or franks with any other company or companies subject to the provisions of this act or any other common carrier or carriers so that by said exchange all said companies may give to officers, agents, employes, attorneys, physicians or surgeons of said other companies the same privileges given to their own officers, agents, employes, attorneys, physicians, surgeons and their families. The term "employed" as used in this paragraph shall include furloughed, pensioned and superannuated employes, persons who have become disabled or infirm in the service of any such company, and the remains of persons killed in the employment of any such company, and persons

traveling for the purpose of entering the service of any such company; and the term "families," as used in this paragraph, and also the term "families" of persons killed as aforesaid, and the widows during widowhood and the minor children during minority of persons who have died while in the service of any such company.

§ 8. Except as provided in the preceding section it shall be unlawful for any such company to give free transportation of property within this state to any person, firm, company or corporation, or to transport property within this state for any other compensation than that prescribed by its schedules; and no telephone or telegraph company, except as provided in the preceding section, shall grant to any persons the right to transmit messages over the lines of any such company free of charge, or at a reduced rate not common to the public.

§ 9. Any such company violating the provisions of this Act as to free transportation of property, or transportation at reduced rates not common to the public, or in permitting the transmission of messages over the telephone or telegraph lines free of charge, or at a reduced rate not common to the public, or for the distributing or furnishing of natural gas at reduced rates not common to the public, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not to exceed one thousand dollars.

§ 10. If any company mentioned in this Act shall charge, collect or receive more than a just or reasonable rate of toll or compensation for the transportation of property in the State or for the transmission of any message, or for the distribution, furnishing or sale of natural gas, it shall be deemed guilty of extortion. If any company mentioned in this Act shall directly or indirectly, by any special rate, rebate, drawback or other device, charge, demand, collect or receive from any person a greater or less compensation for any service rendered in the transportation of property than it charges, demands, collects or receives from any other persons for do-

ing for him a like and contemporaneous service in the transportation of a like kind of traffic, or if any such company shall directly or indirectly, by any special rate, rebate, drawback or other device, charge, demand, collect or receive from any person a greater or less compensation for any service rendered in the transmission of any message than it charges, demands, collects or receives from any person for doing for him a like and contemporaneous service in the transmission of messages, or if any such company shall directly or indirectly, by any special rate, rebate, drawback, or at all, demand, collect or receive from any person a greater or less compensation for any service rendered in the distribution, furnishing or sale of natural gas, than it charges, demands, collects or receives from any other person for a like and contemporaneous service, except as hereinbefore provided, it shall be deemed guilty of an unjust discrimination.

§ 11. It shall be unlawful for any such company to make or give any undue or unreasonable preference or advantage to any particular person or locality or any particular description of traffic in any respect whatever; or to subject any particular person, company, firm, corporation or locality or any particular description of traffic to any undue or unreasonable prejudice or disadvantage, or to make or give any undue or unreasonable preference or advantage to any particular person or locality in the transmission of messages, or to subject any particular person, firm, company, corporation or locality to any undue or unreasonable prejudice or disadvantage in the distribution, furnishing or sale of natural gas, or to subject any such person or locality to any undue or unreasonable prejudice or disadvantage.

§ 12. Any such company guilty of extortion or unjust discrimination, or of giving to any person or locality or to any description of traffic undue or unreasonable preference or advantage shall upon conviction be fined for the first offense in any sum not to exceed five hundred dollars and upon a second conviction in any sum not to exceed one thousand dollars and

upon a third conviction or any subsequent conviction in any sum not to exceed two thousand dollars.

The circuit court of any county into or through which the line of any such corporation or company may run, and the Franklin Circuit Court, shall have jurisdiction of the offense which may be prosecuted by indictment or by penal action in the name of the Commonwealth upon information filed by the Railroad Commission, and such company shall also be liable in damages to the party aggrieved in the amount of damages sustained together with the cost of suit and reasonable attorneys' fees to be fixed by the court. Indictments under this section shall be made only upon the recommendation or request of the Railroad Commission filed in the court having jurisdiction of the offense, and all prosecutions and actions under this law shall be commenced within two years after the offense shall have been committed or the cause of action shall have accrued.

§ 13. If any express company shall charge or receive any greater compensation in the aggregate for the transportation of property of like kind under substantially similar circumstances and conditions for a shorter than for a longer distance over the same line in the same direction, the shorter being included within the longer distance, or if any telephone or telegraph company shall charge or receive for transmitting messages any greater compensation in the aggregate under substantially similar circumstances and conditions for a shorter than for a longer distance over the same line in the same direction, the shorter being included within the longer distance, such company shall for each offense be guilty of a misdemeanor and fined not less than one hundred dollars nor more than five hundred dollars, to be recovered by indictment in the Franklin Circuit Court, or the circuit court of any county into or through which the company so violating runs or carries on its business. Upon complaint made to the Railroad Commission that any such company has violated the provisions of this section, it shall be the duty of the commission

to investigate the grounds of complaint and if, after such investigation, the commission deems it proper to exonerate such company, from the operations of the provisions of this section an order in writing to that effect shall be made by the commission and a copy thereof shall be delivered to the complainant and a copy to such company, and the same shall be published as a part of the report of the commission, and after such order such company shall not be prosecuted or fined on account of the complaint made. If the commission, after investigation fails to exonerate such company from the operation of the provisions of this section, an order in writing to that effect shall be made by the commission, and a copy thereof delivered to the complainant and a copy to such company, and the same shall be published as a part of the report of the commission; and after such order it shall be the duty of the commission to furnish a statement of the facts, together with a copy of its order, to the grand jury of any county the circuit court of which has jurisdiction, in order that such company may be indicted for the offense; and the commission shall use proper efforts to see that such company is indicted and prosecuted.

§ 14. When complaint shall be made to the Railroad Commission accusing any express company, telephone company or telegraph company, or natural gas company, mentioned in this Act of charging or collecting or receiving extortionate rates for the transportation of property or for the transmission of messages, or for telephone boxes, over its line or lines in this Commonwealth or for the distribution, furnishing or sale of natural gas in this Commonwealth, or when said commission shall receive information or have reason to believe that such rate or rates of toll or tolls are being charged, collected or received, it shall be the duty of said commission to hear and determine the matter as speedily as possible, provided, that as to any telephone company said complaint shall be signed by at least five of its bona fide patrons. Said commission shall give the company complained

of not less than ten days' notice by letter mailed to an officer or agent of said company, stating the time and place of the hearing of same, also the nature of the complaint or matter to be investigated, and shall hear such statements, arguments or evidence offered by the parties as the commission may deem relevant, and should the commission determine that the company is or has been guilty of extortion, said commission shall make and fix a just and reasonable rate, toll or compensation which such company may charge, collect or receive for like services thereafter rendered. The rate, toll or compensation so fixed by the commission shall be entered and be an order on the record book of their office signed by the commission, and a copy thereof mailed to an officer or agent of the company affected thereby, and shall be in full force and effect at the expiration of ten days thereafter, and may be revoked or modified by an order likewise entered of record. And should such company, or any officer, agent or employe thereof, charge, collect or receive a greater or higher rate, toll or compensation for like services thereafter rendered than that made and fixed by said commission, as herein provided, said company and said officer, agent or employe shall each be deemed guilty of extortion and, upon conviction shall be fined for the first offense in any sum not to exceed one thousand dollars; and upon a second conviction in any sum not to exceed two thousand dollars; and for a third and succeeding convictions in any sum not to exceed five thousand dollars.

The circuit court of any county into or through which the line or lines of such company runs, and the Franklin Circuit Court shall have jurisdiction of the offense against such company offending, and the circuit court of any county where such offense may be committed by such officer, agent or employe shall have jurisdiction in all prosecutions against said officer, agent or employe, and all such prosecutions under this Act shall be by indictment or penal action, and shall be commenced within two years after the offense shall have been committed. In making any investigation provided for in this

section, said commission may, when deemed necessary, take the deposition of witnesses before an examiner or notary public whose fees shall be paid by the State, and upon the certificate of the chairman of the commission, approved by the Governor, the Auditor shall draw his warrant upon the Treasurer for payment. If the commission deems it necessary they may require any such company to produce all books, correspondence and papers relating to or touching upon the matter under investigation or that may furnish evidence material to the matter under investigation, or which shows or may tend to show a violation of this section, and if any such company, or any officer, employe or person in the possession of such books, papers or correspondence shall refuse to obey the orders of the commission and produce such books, papers or correspondence, such company and the officer, employe or person in possession so refusing shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not to exceed one thousand dollars.

§ 15. Every express company, telephone company, telegraph company and natural gas company, shall, on or before the first day of September in each year, make and transmit to the Railroad Commission at its office in Frankfort under oath of the president or manager of the company, a full and true statement of the affairs of said company on blanks to be furnished by the Railroad Commission, and any such company failing to make such report showing the affairs of said company as the same existed on the first day of the preceding July, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in any sum not to exceed one thousand dollars and Franklin Circuit Court is given jurisdiction of such offense.

§ 16. The Railroad Commission shall examine into the condition, management and all other matters concerning the business of such companies in this State, so far as the same pertain to the relation of such companies to the public, and whether such companies, their officers and employes, comply

with the laws of this State, and whenever it shall come to their knowledge, or they shall have reason to believe that the laws affecting such companies in their business relations to the public have been violated, they shall prosecute or cause to be prosecuted the companies or persons guilty of such violations. The Railroad Commission shall have the power to examine under oath any person or the directors, officers, agents and employes of any company mentioned in this Act doing business in this State, concerning the management of its affairs, and to obtain information pursuant to this law; and shall have power to issue subpoenas for the attendance of witnesses and to administer oaths; and any person who shall neglect or refuse to obey the process or subpoenas issued by said commission, or who being in attendance shall refuse to testify, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished for each offense by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment not less than ten nor more than fifty days, or both, in the discretion of the jury; and in making such examination said commission shall have full power to demand the production of all books, correspondence and papers which may show or tend to show any violation of this Act, or which may afford any information to said commission in their investigation, and if any officer, agent, employe or person in possession of such books, papers, or correspondence shall refuse to obey orders of the commission demanding the production of such, such person shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in any sum not to exceed five hundred dollars, or imprisoned in the county jail not to exceed six months.. Any person who shall, in any way, hinder or obstruct the commission in the discharge of its duty shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined for each offense not to exceed five hundred dollars; and it shall be the duty of the commission to prosecute the persons so offending, and the Franklin Circuit Court or the circuit court of any county through which the lines of any

such company run, the officer, agent, or employe of which has violated the provisions of this Act shall have jurisdiction of such prosecution; and it shall be the duty of the Commonwealth's attorney to prosecute all indictments, actions and proceedings under this law.

§ 17. It shall be the duty of the Railroad Commission to see that every provision of this Act is carried out, and it shall have the power to hear and determine every complaint of any violation of the provisions of this Act, provided, that all complaints shall be made in writing and the company complained of shall have not less than ten days' notice of the time and place of the hearing of same. The commission shall hear and reduce to writing all evidence adduced by the parties, and render such award as may be proper. If the award of the commission be not satisfied within ten days after the same is rendered, the chairman shall file a copy of said award and the evidence heard in the office of the clerk of the circuit court of the county which, under the Code of Practice, would have jurisdiction of said controversy, and the clerk of said court shall enter the same on the docket for trial; and summons shall be issued as in other cases against the party against whom the award shall have been rendered, requiring said party to appear in the court within the time allowed in ordinary cases and show cause why said award shall not be satisfied. If such party fails to appear judgment shall be rendered by default, and the same proceedings had thereon as in other ordinary cases. If a trial is demanded the case shall be tried in all respects as other ordinary cases in which the same amount is involved, except that no evidence shall be introduced by either party except that heard by the commission except such as the court shall be satisfied by sworn testimony could not have been procured before the commission by the exercise of reasonable diligence; the judgment and proceedings thereon shall be the same as in other ordinary cases.

§ 18. The commission shall not give publicity to any contract, leases or engagements obtained by them in their of-

ficial capacity if the interest of any company would thereby be injuriously affected, unless in the judgment of the commission the public interest requires it.

§ 19. It shall be the duty of any sheriff or deputy in the Commonwealth of Kentucky to execute all summons and orders necessary to be issued by the Railroad Commission and make return to the chairman of the commission how they have executed said subpoenas and orders.

§ 20. It shall be unlawful for any steamboat or steamboat company, or steamboat line that makes port in this State, to combine with or make any contract or agreement or to have any understanding with any railroad company, or other common carrier, by which combination, contract or agreement the earnings of the one doing the carrying are to be shared by the other not doing the carrying, and no carrier by rail shall direct, control or influence by agreement, contract or understanding, the rates of any carrier by water, or own or control any stock or bonds of any company or corporation engaged in any transportation by water, and no carrier by water shall direct, control or influence by any agreement, contract or understanding, the rates of any carrier by rail, or own or control any stock or bonds of any company or corporation engaged in transportation by rail, and it shall be the duty of the Railroad Commission to enforce the provisions of this Act, and to this end said commission shall have the power and authority to make a full and complete investigation of any alleged violation of the provisions of this section, and to summons before it any officers, agents or employes of any carrier by rail or water who shall be required to testify on oath concerning all matters inquired into by said commission touching the violation of the provisions of this section, and after said investigations the commission shall have the authority, if, in its opinion or judgment, the provisions of this section are being violated, to issue orders prescribing rules and regulations to prevent the further violation of the provisions of this section, and if thereafter any carrier by water or rail

shall violate any order issued by said commission under the provisions of this section, said carrier by water or rail, its agents, servants and employes, shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine in any sum not to exceed one thousand dollars for the first offense; three thousand dollars for the second offense and five thousand dollars for every succeeding offense, provided, however, that the provisions of this section shall not apply to such water transportation carried on by railroad companies as are necessarily incident to the actual conduct of the carrier's business by rail.

§ 21. The circuit court having jurisdiction under the provisions of the Civil Code of Practice, and also the Franklin Circuit Court, shall have jurisdiction and authority to enforce all orders of the Railroad Commission made under the provisions of this Act, and the chairman of the commission shall have the authority to file a petition in equity in the name of the Commonwealth invoking the aid of any circuit court having jurisdiction as provided herein, to compel any company mentioned in this Act under the control or supervision of the Railroad Commission to obey, execute, comply with or make effective any order of the commission made in pursuance of this Act, and such company shall be summoned and the issues joined by the pleadings and the cause docketed and tried, as in any other suits in equity, except that the transcript of the evidence offered before or heard by the commission, or a properly certified copy thereof, and the record of all proceedings in the cause before the commission, or a certified copy thereof, shall be filed in the court and made a part of the record in the cause, and no evidence shall be introduced on the hearing in court by either party other than said evidence offered before or heard by the commission, except such evidence as the court shall be satisfied from affidavits or sworn testimony could not, by the exercise of reasonable diligence, have been produced at the hearing before the commission. If additional testimony be introduced in court, the cause shall

be remanded to the Railroad Commission with authority to alter, change, modify or affirm its original order before the recommendation of a judgment by the court in reference to the order or orders of the commission. From the judgment of the court an appeal shall lie to the Court of Appeals by either the commission or the company, and all proceedings in court under this Act shall have precedence over all other causes, except criminal cases. It shall be the duty of the Attorney General of the Commonwealth to represent the Railroad Commission in the proceedings provided for herein. The proceedings provided for under this section of this Act shall not be exclusive of, but in addition to other proceedings and penalties provided by law.

§ 22. When complaint shall be made to the Railroad Commission accusing any steamboat, steamboat company or other boat or water craft propelled by the use of oil, gasoline or other means, charging or collecting or receiving any unreasonable or extortionate rate or rates for the transportation of property over its line or lines in this Commonwealth, or when said commission shall receive information, or have reason to believe that such unreasonable or extortionate rate or rates are being charged, collected or received, it shall be the duty of said commission to hear and determine the matter as speedily as possible. Said commission shall give the company or boat complained of not less than ten days' notice by letter mailed to an officer or agent of said company, stating the time and place of the hearing of same; also the nature of the complaint or matter to be investigated, and shall hear such statement, arguments or evidence offered by the parties as the commission may deem relevant, and should the commission determine that the company or boat is or has been guilty of extortion, said commission shall make and fix a just and reasonable maximum rate which such company or boat may charge, collect or receive for like services thereafter rendered. The maximum rate so fixed by the commission shall be entered and be an order on the record book of their office and signed

by the commission, and a copy thereof mailed to an officer or agent of the company affected thereby, and shall be in full force and effect at the expiration of ten days thereafter, and may be revoked or modified by an order likewise entered of record. And should such company or boat or any officer, agent or employe thereof, charge, collect or receive a greater or higher rate for like services thereafter rendered than that made and fixed by said commission, as herein provided, said company and said officer, agent or employe shall each be deemed guilty of extortion, and upon conviction, shall be fined for the first offense in any sum not to exceed one thousand dollars, and upon a second conviction in any sum not to exceed two thousand dollars; and for a third and succeeding conviction in any sum not to exceed five thousand dollars. The circuit court of any county into or through which the line or lines of such company run, shall have jurisdiction of the offense against such company, or boat offending, and the circuit court of any county where such offense may be committed by such officer, agent or employe shall have jurisdiction in all prosecutions against said officer, agent or employe, and all such prosecutions under this Act shall be by indictment or penal action, and shall be commenced within two years after the offense shall have been committed. In making any investigation provided for in this section, said commission may, when deemed necessary, take the deposition of witnesses before an examiner or notary public whose fees shall be paid by the State, and upon the certificate of the chairman of the commission, approved by the Governor, the Auditor shall draw his warrant upon the treasurer for payment. If the commission deems it necessary they may require such company, or boat to produce all books, correspondence and papers relating to or touching upon the matter under investigation or that may furnish evidence material to the matter under investigation, or which shows or may tend to show a violation of this section, and if any such company, or any officer, employe or person in the possession of such books, papers or

correspondence shall refuse to obey the orders of the commission and produce such books, papers or correspondence, such company and the officer, employe or person in possession so refusing shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in any sum not to exceed one thousand dollars.

§ 23. If the franchise of any public service company embraced in this Act shall have expired, and the service is continued without obtaining a new franchise the said public service company shall be subject to the jurisdiction and authority of the Railroad Commission, and shall not withdraw its service from any municipality, county or community without first obtaining the permission of the said Railroad Commission so long as it remains in business in this Commonwealth, or any part thereof.

§ 24. The word "company," as used in this Act, shall include persons, firms, companies, and corporations engaged in any business mentioned in this Act.

§ 25. All laws and parts of laws in conflict herewith are hereby repealed.

§ 26. Whereas, many communities in this Commonwealth are at the present time not securing from express companies, telegraph companies and telephone companies and natural gas companies reasonably adequate service and facilities at a reasonable charge therefor, an emergency is hereby declared to exist, and this Act shall be effective from and after the date of its passage and approval by the Governor.

Said amendment by way of substitute was concurred in.

Mr. Caudel asked to be excused from voting on this measure.

This request was agreed to.

Ordered, that said bill be read the third time.

Mr. Vose moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	J. W. Johnson	B. A. Roth
L. H. Ballard	Henry Kaufman	Dr. Lewis Ryans
H. H. Barnes	Griffin Kelly	Chas. R. Scott
W. T. Beckham	Frank Kennard	W. P. Scott
S. M. Bennett	W. L. Kimbrough	E. E. Shannon
J. M. Billiter	J. M. Knott	S. G. Smith
W. M. Boling	Dr. S. D. Laughlin	R. Lee Stewart
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
W. T. Carner	Joseph Lazarus	John T. E. Stites
J. F. Carr	Rev. J. A. Lee	John W. Swope
A. S. Cooper	I. S. Mason	John B. Thomas
B. L. Cox	A. J. McCandless	J. Mack Thompson
J. S. Cruse	R. L. McFerron	Dr. D. J. Travis
H. N. Dean	Claude D. Minor	John L. Trumbo
J. B. Denues	John T. Murphy	J. Wood Vance
H. C. Duffy	Estill W. Neel	Fred C. VanHoose
J. M. Foster	Chas. A. Nelson	Daniel Vose
J. W. Geveden	T. C. Pryse	Geo. C. Waggoner
A. F. Hanberry	S. C. Ray	A. M. Wash
E. C. Hardin	B. F. Reynolds	J. S. Webb
D. J. Howard	J. L. Richardson	Gladstone Wesley
A. R. Hudson	Sherman Robbins	W. N. Winn
Adam W. Huff	Lee Rogers	

Those who voted in the negative were—

Rodney G. Bryson	Talbert Holliday	T. R. Stults
Charles M. Ciarlo	R. O. Huntsman	C. B. Truesdell
P. A. Day	Elmer Lusby	Dr. T. R. Welch
Dr. T. H. Gamblin	Harry J. Meyers	W. G. Wheeler
Dr. W. L. Gossett	Frank L. Strange	—14

Resolved, that the title thereof be as amended by the substitute.

Mr. Vose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration, the Senate amendments to House Bill No. 323.

Said amendments are as follows:

(1) Amend House Bill 323 in Senate by striking out of Section 3 the words "for services performed the clerk shall deduct from the money collected for registration the sum of forty cents for each registration" in lines 5 and 6 and substitute in lieu thereof the following: "For services performed the owner shall pay the county clerk the sum of thirty cents for each registration."

Said amendment was concurred in.

(2) Amend House Bill 323 by striking out lines 16 and 17 of Section 7.

Said amendment was concurred in.

(3) Amend House Bill 323 by striking out on page 14, Section 8, all of sub-section "c" contained in lines 16 to 20, inclusive.

The House refused to concur in this amendment.

(4) Amend Section 9 of House Bill 323 by striking out the word "eighteen" in line 1 on page 14 and by substituting therefor the word "sixteen."

Said amendment was concurred in.

(5) Amend House Bill 323 in Senate by striking from line 3 of Section 9, page 14, the following, "older person," and inserting in lieu thereof the following: "person over twenty-one years of age."

Said amendment was concurred in.

(6) Amend House Bill 323, page 23 of Section 17, Sub-Section f, by striking from line 13 the following words, "after deducting his fees" and from lines 15, 16 and 17 the following, "the fees to be deducted by the clerk shall be those only where the fee is fixed at forty cents."

Said amendment was concurred in.

Mr. Duffy moved to reconsider the vote by which Senate Amendment No. 1 to House Bill No. 323 was concurred in.

Upon a division said motion to reconsider was agreed to, 43 for, 40 against.

Mr. Duffy then moved that the House refuse to concur in said amendment.

Then upon a division the House refused to concur in said amendment, 36 for concurring, 42 against concurring.

The action of the House thereupon was certified by the chief clerk and sent to the Senate by Mr. Hardin.

Mr. Bryson moved that today's session be extended indefinitely.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration the Senate amendments to House Bill No. 314.

Said amendments are as follows:

(1) Amend Section 1 of House Bill 314, by striking out all of same and substituting therefor the following as Section 1: "Every warehouse company and every person, firm or corporation furnishing storage for personal property shall, on or before the first day of August in each year, make a report to the County Tax Commissioner, giving so far as known accurate and complete information as to all property held by such warehouse company, person, firm or corporation on the first day of July of each year, and giving the names and residence of the owners of said property so held on said date, when known, and said report shall contain such other information as may be required by the State Tax Commission on the blank forms prescribed for this purpose."

(2) Amend House Bill 314 by striking out all of Sections 5 and 6 thereof and change the number of Section 7 so as to make it Section No. 5.

Said amendments were concurred in.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	J. W. Johnson	Dr. Lewis Ryans
H. H. Barnes	Henry Kaufman	W. P. Scott
J. M. Billiter	Frank Kennard	E. E. Shannon
Roy J. Cain	W. L. Kimbrough	H. G. Skiles
W. T. Carner	Hebron Lawrence	S. G. Smith
J. F. Carr	Joseph Lazarus	Wm. A. Stewart
T. L. Caudel	Rev. J. A. Lee	John T. E. Stites
Charles M. Ciarlo	Elmer Lusby	Frank L. Strange
A. S. Cooper	I. S. Mason	T. R. Stults
B. L. Cox	A. J. McCandless	John W. Swope
J. S. Cruse	R. L. McFerron	J. Mack Thompson
H. N. Dean	Mack J. Morgan	C. B. Truesdell
J. B. Denues	Estill W. Neel	John L. Trumbo
J. M. Foster	Chas. A. Nelson	Fred C. VanHoose
A. F. Hanberry	T. C. Pryse	Daniel Vose
E. C. Hardin	B. F. Reynolds	Geo. C. Waggoner
A. R. Hudson	J. L. Richardson	J. S. Webb
Adam W. Huff	Sherman Robbins	Gladstone Wesley
R. O. Huntsman	Lee Rogers	Dr. W. S. Yazell

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Those who voted in the negative were—

Dr. W. L. Gossett	Claude D. Minor	Dr. B. F. Shields
A. L. Hamilton	John T. Murphy	J. H. Thompson
Dr. S. D. Laughlin	T. P. Oliver	J. Wood Vance
Harry J. Meyers	Chas. R. Scott	

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The Senate proposed the following amendment to the title of said bill:

Amend House Bill 314 by striking from the title thereof these words, appearing in the fourth and fifth lines of the title, to-wit.: "And how and by whom the taxes based upon such reports shall be paid," and further amend by changing the word "furnished" in the second line of said title to the word "furnishings."

Said amendment was concurred in.

Resolved, that the title thereof be as amended.

Mr. Lazarus moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then the House, at 12:15 p. m., recessed until 1:30 p. m.

AFTERNOON SESSION.

The House reconvened at 1:30 p. m.

Mr. Huntsman produced and offered to file a written report of the Committee appointed to investigate the Feeble Minded Institute at Frankfort, Kentucky.

Mr. Lazarus moved that said report be filed and that the committee be discharged.

Said motion was agreed to.

Mr. Huntsman offered the following resolution:

House Resolution No. 45.

Said resolution reads as follows:

Joint resolution directing payment of fee and expenses of attorney of the committee which investigated certain features of the Feeble Minded Institute at Frankfort.

Be it resolved by the House of Representatives, the Senate concurring:

(1) That out of any moneys in the Treasury of the Commonwealth not otherwise appropriated, there shall be paid to Charles H. Morris the sum of one hundred and fifty dollars (\$150.00) for his services rendered the committee appointed by and under House Resolution No. 17, for the investigation of certain matters in connection with the Feeble-Minded Institution at Frankfort, said sum above named to cover also such expenses for stenographer, &c., as may have been incurred by said Charles H. Morris.

(2) Upon the passage of this resolution the clerk shall issue his voucher to said claimant for the sum above named, and, upon presentation of same to the Auditor of Public Accounts, he will issue his warrant upon the Treasury, in conformity with said voucher.

Mr. Huntsman moved to suspend the rules and place said resolution upon its passage.

Said motion was agreed to.

The yeas and nays being taken upon the passage of said resolution resulted as follows:

Those who voted in the affirmative were—

L. H. Ballard	Charles M. Ciarlo	A. L. Hamilton
H. H. Barnes	B. L. Cox	E. C. Hardin
J. M. Billiter	J. S. Cruse	Dr. W. L. Haynes
Rodney G. Bryson	P. A. Day	A. R. Hudson
J. F. Carr	Dr. T. H. Gamblin	Robt. Humphreys
T. L. Caudel	Dr. W. L. Gossett	R. O. Huntsman

J. W. Johnson	Chas. A. Nelson	John T. E. Stites
Henry Kaufman	T. P. Oliver	Frank L. Strange
Griffin Kelly	T. C. Pryse	T. R. Stults
Frank Kennard	S. C. Ray	J. Mack Thompson
W. L. Kimbrough	J. L. Richardson	J. H. Thompson
J. M. Knott	Sherman Robbins	Dr. D. J. Travis
Hebron Lawrence	Lee Rogers	C. B. Truesdell
Joseph Lazarus	B. A. Roth	John L. Trumbo
Rev. J. A. Lee	Dr. Lewis Ryans	Fred C. VanHoose
Elmer Lusby	Chas. R. Scott	Daniel Vose
R. C. Marcum	W. P. Scott	Geo. C. Waggoner
A. J. McCandless	E. E. Shannon	A. M. Wash
R. L. McFerron	Dr. B. F. Shields	J. S. Webb
Harry J. Meyers	H. G. Skiles	Gladstone Wesley
Claude D. Minor	S. G. Smith	W. G. Wheeler
Mack J. Morgan	H. A. Spillman	R. E. Wilborn
Estill W. Neel	R. Lee Stewart	W. N. Winn

So said resolution was adopted.

Mr. Huntsman offered the following resolution:

House Resolution No. 46.

Said resolution reads as follows:

Whereas, the Commonwealth of Kentucky is the owner in fee simple of the North half of the bed of the Ohio River, and whereas, the said river is underlaid with a fine seam of bituminous coal, and

Whereas, many shaft coal mines in the State of Indiana are digging and mining in said coal seam near or in the said area owned by the said Commonwealth, and

Whereas, there is now being removed, harvested and gathered from said area, thousands of dollars' worth of valuable mussel shells, thereby depleting and destroying said mussel beds, the property of the State of Kentucky, and

Whereas, no remedy now exists to prevent or stop the same, except as may be provided at Common Law, now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the State Tax Commission be and it is hereby authorized and directed to close the said area against all trespassers who may be gathering or digging said mussel shells from the north half of the said river, and that said Tax Commission is hereby further authorized and directed to close the said area against diggers and gatherers of mussel shells, for and until the next meeting of the General Assembly of the Commonwealth of Kentucky in 1922, and for sixty days thereafter.

Said Tax Commission is authorized and hereby directed to issue by proclamation and have the same posted along the shores of said river, warning all trespassers to desist from taking illegally, from said area, mussel shells and that any one who violates said proclamation, or trespasses on said property will be prosecuted against according to law.

Said Tax Commission is authorized and is hereby directed to cause an investigation of the condition of said coal seam and whether the same is being mined and taken from under said area and to make recommendation concerning same, and also to ascertain the condition of said mussel shell beds and make recommendations concerning same, as in their opinion is wise and proper, either to the Attorney General of the State of Kentucky, or to the next General Assembly, and said investigation shall be made by said Tax Commission through its field men and without extra expense, other than said field men now receive, and this shall be done without extra or further expense to the Commonwealth of Kentucky.

Mr. Johnson offered the following amendment:

Amend House Resolution 46 by striking out the word "mussel shell" in each and every line where it appears.

Upon a division said amendment was lost, 35 for, and 38 against.

Mr. Welch offered the following amendment:

Amend Joint Resolution No. 46 by striking out the words "mussel shells" in line 18 and inserting therein the words "coal beds."

Said amendment was agreed to.

Mr. Kaufman moved the previous question.

The Speaker stated "Shall the main question now be ordered?"

Said question was decided in the affirmative.

Then said resolution was adopted.

Mr. Haynes moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate requesting that the Speaker of the House appoint a conference committee for the purpose of conferring with a like committee already appointed by the Senate on the differences between the two Houses on the amendments to House Bill No. 323. Said message announced that the Senate conferees already appointed were Senators Brock, Moss and Nunn.

The request of the Senate was agreed to by the House.

Then the Speaker appointed as House conferees for said purpose Messrs. Neel, Ciarlo and Bryson.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 201. An Act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this State, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the governing authority of any political party in this State having a constituted authority for its government and regulation, and which at the last preceding election at which presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this State, shall have the power to prescribe the manner and method of nominating its candidates for the offices of Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

§ 2. If the governing authority of any party embraced within the provisions of this Act determines to nominate its candidates for any of said offices by a primary election, then

such primary election shall be held under the provisions of the general State Primary Election Law, now in force, or that may hereafter be enacted by the General Assembly of the Commonwealth of Kentucky; Provided, however, that the governing authority of such party shall have no power to prescribe a different method of nominating its candidates for any of the following offices, to-wit.: Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction and Clerk of Court of Appeals, but the same method shall be prescribed by the said governing authority of such party for the nominations for each of said offices.

§ 3. If the governing authority of any party embraced within the provisions of this Act determines to make nominations for any of the offices mentioned in this Act by a primary election, then such governing authority shall make such order at least seventy-five (75) days prior to the date the state primary election is required by law to be held and its action in ordering such nominations to be made by primary shall be immediately by its proper officers certified to the Secretary of State, and, when so ordered and certified to the Secretary of State, such nominations shall be made in the state primary election, as provided by law, and not otherwise.

§ 4. Nothing in this Act shall be construed to prevent political organizations and parties not embraced therein from making their nominations for any of the offices mentioned in this Act as they are now permitted by law to make same.

§ 5. All laws in conflict with the provisions of this Act are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	A. R. Hudson	B. A. Roth
H. H. Barnes	Adam W. Huff	Dr. Lewis Ryans
S. M. Bennett	R. O. Huntsman	E. E. Shannon
J. M. Billiter	Henry Kaufman	S. G. Smith
Jo F. Bosworth	W. L. Kimbrough	R. Lee Stewart
Rodney G. Bryson	Hebron Lawrence	Wm. A. Stewart
Roy J. Cain	Joseph Lazarus	T. R. Stults
W. T. Carner	R. C. Marcum	C. B. Truesdell
J. F. Carr	I. S. Mason	Fred C. VanHoose
Charles M. Ciarlo	A. J. McCandless	Daniel Vose
J. S. Cruse	R. L. McFerron	A. M. Wash
H. N. Dean	Homer C. McLellen	J. S. Webb
J. B. Denues	Mack J. Morgan	Gladstone Wesley
J. M. Foster	Estill W. Neel	R. E. Wilborn
Dr. T. H. Gamblin	T. C. Pryse	V. M. Williamson
B. J. Goehringer	J. L. Richardson	Dr. W. S. Yazell
A. F. Hanberry	Sherman Robbins	
Talbert Holliday	Lee Rogers	

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Those who voted in the negative were—

W. T. Beckham	D. J. Howard	Elmer Lusby
B. L. Cox	Robt. Humphreys	Claude D. Minor
P. A. Day	J. W. Johnson	John T. Murphy
H. C. Duffy	Griffin Kelly	Chas. A. Nelson
J. W. Geveden	Frank Kennard	T. P. Oliver
Dr. W. L. Gossett	J. M. Knott	R. F. Reynolds
A. L. Hamilton	Rev. J. A. Lee	Chas. R. Scott

W. P. Scott	Frank L. Strange	Geo. C. Waggoner
Dr. B. F. Shields	John B. Thomas	Dr. T. R. Welch
H. G. Skiles	J. Mack Thompson	W. G. Wheeler
H. A. Spillman	J. H. Thompson	W. N. Winn
John T. E. Stites	Dr. D. J. Travis	

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 208. An Act consolidating the office of jailer in this Commonwealth with that of sheriff in all counties other than those containing cities of the first and second class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the office of jailer be, and the same is hereby consolidated with the office of sheriff, and that the sheriff shall hereafter perform all of the duties incumbent upon the jailer, and shall receive all the compensation to which a jailer is entitled under the law.

§ 2. One of the sheriff's deputies shall, under the direction of the sheriff, have supervision of the county jail, and shall be known as "jailer" of the county.

§ 3. Counties in which are situated cities of the first and second class do not come under the provisions of this Act.

§ 4. This Act is not to be construed as affecting the present incumbents in the offices of jailer or sheriff.

§ 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Mr. Gossett offered the following amendment:

This Act shall not apply to counties in which are situated cities of the third and fourth class.

Said amendment was agreed to.

Mr. Humphreys offered the following amendment:

Amend Senate Bill 208 by adding, "This bill shall not apply to counties having an assessed valuation of more than ten million dollars."

Said amendment was disagreed to.

Mr. Skiles offered the following amendment:

Amend Senate Bill No. 208 by striking out Section 3.

Said amendment was disagreed to.

Mr. Welch moved the previous question.

The Speaker stated, "Shall the main question be now ordered?"

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. H. Barnes	A. R. Hudson	Dr. Lewis Ryans
Roy J. Cain	Adam W. Huff	W. P. Scott
J. S. Cruse	J. W. Johnson	E. E. Shannon
H. N. Dean	Frank Kennard	R. Lee Stewart
J. B. Denues	Joseph Lazarus	Wm. A. Stewart
H. C. Duffy	Claude D. Minor	J. Wood Vance
A. L. Hamilton	Mack J. Morgan	Fred C. VanHoose
E. C. Hardin	Estill W. Neel	Daniel Vose
Talbert Holliday	J. L. Richardsor	Geo. C. Waggoner
D. J. Howard	Sherman Robbins	A. M. Wash

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Those who voted in the negative were—

W. T. Beckham	R. O. Huntsman	H. G. Skiles
S. M. Bennett	Griffin Kelly	S. G. Smith
J. M. Billiter	W. L. Kimbrough	H. A. Spillman
Rodney G. Bryson	J. M. Knott	John T. E. Stites
W. T. Carner	Hebron Lawrence	Frank L. Strange
J. F. Carr	Rev. J. A. Lee	T. R. Stults
T. L. Caudel	Elmer Lusby	John W. Swope
Charles M. Ciarlo	R. C. Marcum	John B. Thomas
A. S. Cooper	A. J. McCandless	J. Mack Thompson
B. L. Cox	R. L. McFerron	J. H. Thompson
P. A. Day	Harry J. Meyers	Dr. D. J. Travis
J. M. Foster	Chas. A. Nelson	John L. Trumbo
Dr. T. H. Gamblin	T. P. Oliver	J. S. Webb
J. W. Geveden	S. C. Ray	Dr. T. R. Welch
Dr. W. L. Gossett	B. F. Reynolds	Gladstone Wesley
A. F. Hanberry	Lee Rogers	W. G. Wheeler
Dr. W. L. Haynes	Chas. R. Scott	R. E. Wilborn
Robt. Humphreys	Dr. B. F. Shields	W. N. Winn

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So said bill was defeated.

Mr. Smith moved that the vote by which said bill was defeated be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 264. An Act to provide for the opening of private passways, tram-roads and haul roads.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whenever it shall appear to a county court that it is necessary for a person to have a private passway over the land of one or more persons to enable him to attend courts, elections, a meeting house, a mill, warehouse, ferry, a railroad depot, most convenient to his residence, or whenever it shall appear to a county court, that it is necessary for a person to have a private tram-road or haul road over the land of one or more persons to enable him to reach a warehouse, steamboat landing, ferry, railroad switch or navigable stream, for the purpose of operating and marketing the products from a lead mine, iron works, salt works, coal mine, fire clay and other minerals, oil well, stone quarry, sand bank or merchantable forest timber, the court shall appoint commissioners, as in case of a road, who, being first sworn to discharge their duties faithfully and impartially shall go upon the land of the person through which the passway, private tram-road or haul road is proposed, whether arable or not, and shall report in writing to the court, whether or not a private passway, tram-road or haul road is necessary for any of the purposes aforesaid; and if favorable to the passway, private tram-road or

haul road, they shall, in their report, designate the exact route for the same by metes and bounds, courses and distances, and the width thereof, which, in no case, shall exceed twenty feet, and they shall determine and assess what will be a just compensation to each owner and tenant, if any, for the land proposed to be taken for a passway, private tram-road or haul road, in the same manner as upon application to open and establish a new road.

§ 2. Upon the filing of the report of the commissioners, the clerk of the county court shall issue process against the owners to show cause why the said report should not be confirmed, and shall make such orders as to non-residents and persons under disability as are required by the Civil Code of Practice in actions against them in the circuit court.

§ 3. At the first regular term of the county court after the owners shall have been summoned the length of time prescribed by the Civil Code of Practice before an answer is required, it shall be the duty of the court to examine said report, and if it shall appear to be in conformity to this law, and to the extent that no exceptions have been filed thereto by either party, it shall confirm said report as against the owners not excepting.

§ 4. When exceptions shall be filed by either party, the court shall forthwith cause a jury to be empaneled to try the issues of fact made by the exceptions, and each juror shall be allowed one dollar per day for his services, to be taxed as cost. In assessing the damages, the jury shall be governed by the rule prescribed in Section 836 of the Kentucky Statutes, and, upon the request of either party, may be sent by the court, in charge of the sheriff, to view the land. If sufficient cause be not shown for setting aside the verdict, the court shall render judgment in conformity thereto. Either party may appeal to the circuit court, by executing bond as required in other cases, within thirty days and the appeal shall be tried de novo, upon the confirmation of the report of the commis-

sioners by the county court, or the assessment of damages by said court, as herein provided.

§ 5. The appeal from the county court shall be taken by filing with the clerk of the court to which the appeal lies a statement of the parties to the appeal, and a transcript of the orders of the county court, and thereupon the said clerk shall certify to the clerk of the county court that said appeal has been filed, and the clerk of the county court shall immediately transfer the original papers to the clerk of the court to which the appeal is pending; and if the owner, on his appeal, shall fail in the circuit court to increase the amount of damages awarded in the county court, he shall pay all the costs of the appeal; if the damages are increased in the circuit court, the other party shall pay all costs of the appeal.

§ 6. Provided, that nothing in this Act shall operate to give any person, firm or corporation exclusive use of said passage, but any other person, firm or corporation shall have the right to use the same upon paying proper compensation therefor. If no agreement can be made for such compensation, then the right to such use may be condemned as herein provided.

§ 7. Because there is doubt whether the Act which became a law March 26, 1904, the Governor not having approved or disapproved the same within the time prescribed by the Constitution, is now in force, an emergency is hereby declared to exist and this Act shall be in force and effect from and after its passage.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Henry Kaufman	Lee Rogers
L. H. Ballard	Griffin Kelly	B. A. Roth
H. H. Barnes	Frank Kennard	Dr. Lewis Ryans
S. M. Bennett	W. L. Kimbrough	Chas. R. Scott
J. M. Billiter	J. M. Knott	W. P. Scott
Roy J. Cain	Hebron Lawrence	E. E. Shannon
W. T. Carner	Joseph Lazarus	H. G. Skiles
J. F. Carr	R. C. Marcum	S. G. Smith
T. L. Caudel	I. S. Mason	R. Lee Stewart
B. L. Cox	A. J. McCandless	Wm. A. Stewart
P. A. Day	R. L. McFerron	John T. E. Stites
H. N. Dean	Homer C. McLellen	T. R. Stults
J. B. Denues	Harry J. Meyers	John W. Swope
Dr. T. H. Gamblin	Claude D. Minor	John B. Thomas
J. W. Geveden	John T. Murphy	J. Mack Thompson
A. L. Hamilton	Estill W. Neel	J. Wood Vance
A. F. Hanberry	Chas. A. Nelson	Fred C. VanHoose
Dr. W. L. Haynes	T. C. Pryse	Daniel Vose
Talbert Holliday	S. C. Rav	Geo. C. Waggoner
A. R. Hudson	J. L. Richardson	A. M. Wash
Adam W. Huff	Sherman Robbins	Gladstone Wesley

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Those who voted in the negative were—

W. T. Beckham	Dr. W. L. Gossett	W. G. Wheeler
Rodney G. Bryson	Dr. B. F. Shields	
Charles M. Ciarle	Frank L. Strange	

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 150. An Act defining mattresses; regulating the making, re-making and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labeled; providing for the enforcement of the provisions of this Act; making certain acts criminal and punishing the same.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. (1) That the term "mattress," as used in this Act, shall be construed to mean any mattress, mattress pad or cushion, stuffed or filled with cotton, wool, hair, upholstered spring, or other soft material, to be used on a couch or other bed for sleeping or reclining purposes.

(2) The term "person" as used in this Act, shall be construed to include all individuals and all firms or co-partnerships.

(3) The term "corporation," as used in this Act, shall be construed to include all corporations, companies, associations, and joint stock associations of companies.

(4) Whenever the singular is used in this Act, it shall be construed to include the plural; whenever the masculine gender is used in this Act, it shall include the feminine and neuter genders.

§ 2. Par. (A) No person or corporation, by himself or by his agents, servants or employees, shall employ or use in the making, remaking or renovating of any mattress, any material of any kind that has been used in or has formed a part of any mattress used in or about any public or private

hospital, or institution for the treatment of persons suffering from disease, or for or about any person having any infectious or contagious disease; any material, not otherwise prohibited in this Act, of which prior use has been made; unless any and all of said material have been thoroughly sterilized, and disinfected by a reasonable process, approved by the board of health of the city or town where said mattress is made, remade or renovated.

Par. (B) The use of shoddy made from second-hand materials, jute, old comforts, pads, mattresses in the manufacture of new mattresses to be offered for sale as such is hereby prohibited.

§ 3. Upon each mattress manufactured, or offered for sale, there shall be securely sewed upon the outside thereof a muslin, paper or linen label or tag, upon which shall be legibly written or printed, in the English language, the material used as the filling of such article of bedding; if all the material used in the manufacture of such article of bedding shall not have been previously used, the words "manufactured of new material" shall appear upon said label or tag, together with the name and address of the maker thereof.

§ 4. Any mattress made from any material of which prior use has been made shall have stamped or printed upon the tag attached thereto in type not smaller than twenty point the words "second-hand material."

§ 5. If labeled felt or felted cotton, it is understood that the cotton or material has all been carded in layers or sheets by a Garnett or cotton felting machine.

§ 6. (A) In the description of material used upon said label or tag, it shall be unlawful to use in the description of such material used as the filling of any article of bedding, any term or designation likely to mislead.

(B) Any person who shall remove, deface, alter, or in any manner attempt the same, or shall cause to be removed, defaced, or altered, any mark or statement placed upon any

mattress under the provisions of this Act, shall be guilty of a violation of this Act.

(C) It shall be unlawful for any person except a purchaser at retail to remove or efface any marking upon any article or receptacle, or any tag attached thereto, under the provisions of this Act.

§ 7. (A) It shall be the duty of any police officer or member of any municipal board of health, or other city or town official, who has reason to believe that the provisions of this Act have been or are being violated, to give notice thereof to the State Department of Health.

(B) Any individual who has reason to believe that this Act has been or is being violated may present the relevant facts to the board of health or any of its deputies; in which case it shall be the duty of the said board of health to make an investigation of such facts and of its own initiative and if the said board is of the opinion that the Act has been or is being violated to prosecute the person, firm, or corporation guilty thereof. Any individual may institute proceedings to enforce this Act and to punish violations of its provisions.

§ 9. Any person or corporation violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty dollars and not to exceed one hundred dollars for each offense, or by imprisonment in the county jail for not less than three months and not exceeding six months, or by both said fine and imprisonment.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Griffin Kelly	W. P. Scott
L. H. Ballard	Frank Kennard	H. G. Skiles
W. T. Beckham	W. L. Kimbrough	S. G. Smith
S. M. Bennett	J. M. Knott	H. A. Spillman
W. T. Carner	Hebron Lawrence	Wm. A. Stewart
J. F. Carr	Elmer Lusby	John T. E. Stites
T. L. Caudel	I. S. Mason	John B. Thomas
A. S. Cooper	R. L. McFerron	Dr. D. J. Travis
B. L. Cox	Homer C. McLellen	C. B. Truesdell
J. S. Cruse	Harry J. Meyers	John L. Trumbo
P. A. Day	John T. Murphy	J. Wood Vance
J. B. Denues	Estill W. Neel	Daniel Vose
J. M. Foster	Chas. A. Nelson	Geo. C. Waggoner
Dr. T. H. Gamblin	T. C. Pryse	A. M. Wash
J. W. Geveden	S. C. Ray	Dr. T. R. Welch
Dr. W. L. Gossett	B. F. Reynolds	Gladstone Wesley
E. C. Hardin	J. L. Richardson	W. N. Winn
D. J. Howard	Sherman Robbins	Dr. W. S. Yazell
A. R. Hudson	Dr. Lewis Ryans	
Henry Kaufman	Chas. R. Scott	

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Those who voted in the negative were—

A. J. McCandless Frank L. Strange J. Mack Thompson

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 169. An Act giving to jewelers a lien on goods left with them for repair, and providing the method of sale thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every person, firm or corporation engaged in performing work upon any watch, clock or jewelry for a price shall have a lien upon any such watch, clock or jewelry upon which such person, firm or corporation, or any agent or employe thereof, performs such work for the amount of any account that may be due for such work. Such lien shall also include the value or agreed price, if any, of all materials furnished by such bailees for hire in connection with such work, whether added to such article or articles or otherwise. If such account remains unpaid six months (6 months) after completing such work, such bailees for hire may, upon thirty days (30 days) notice in writing to the owner, specify the amount due and informing such owner that the payment of such amount within thirty days will entitle him to redeem such property, sell any such article or articles at public or bona fide private sale to satisfy the account. The proceeds of the sale, after paying the expenses thereof, shall be applied in liquidation of the indebtedness secured by such lien and the balance, if any, shall be paid over to the owner. Such notice may be served by mail directed to the owner. The surplus from said sale shall be held for a period of twelve months for the owner, and in the event same is not called for in that time shall be paid into the district school fund. Such notice may be served by mail directed to the owner's last known address, or, if the owner or his address be unknown, it may be

published in a newspaper of general circulation in the village or city where the property is located. Nothing herein contained shall preclude the remedy of enforcing such lien by action according to law.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	W. L. Kimbrough	S. G. Smith
H. H. Barnes	J. M. Knott	H. A. Spillman
W. T. Beckham	Hebron Lawrence	R. Lee Stewart
Roy J. Cain	Elmer Lusby	John T. E. Stites
W. T. Carner	I. S. Mason	John W. Swope.
T. L. Caudel	R. L. McFerron	J. Mack Thompson
A. S. Cooper	Claude D. Minor	J. H. Thompson
B. L. Cox	John T. Murphy	C. B. Truesdell
H. N. Dean	Estill W. Neel	J. Wood Vance
J. B. Denues	Chas. A. Nelson	Daniel Vose
A. L. Hamilton	T. C. Pryse	Geo. C. Waggoner
E. C. Hardin	S. C. Ray	A. M. Wash
Dr. W. L. Haynes	J. L. Richardson	Gladstone Wesley
R. O. Huntsman	Sherman Robbins	V. M. Williamson
Griffin Kelly	W. P. Scott	Dr. W. S. Yazell
Frank Kennard	H. G. Skiles	

Those who voted in the negative were—

S. M. Bennett	Dr. T. H. Gamblin	A. J. McCandless
J. S. Cruse	A. R. Hudson	Wm. A. Stewart
H. C. Duffy	J. W. Johnson	Frank L. Strange
J. M. Foster	Joseph Lazarus	T. R. Stults

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 3. An Act providing for the separate confinement of the criminal insane, defining such term and providing for the transfer of same to an institution set apart therefor, of those who may be adjudged to be criminally insane.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all persons who may be charged with the commission of any felony before or after the passage of this Act and are proven to have committed said crime and who may be found to be insane at any inquest held to determine the mental condition of such person, or who may be acquitted by a jury under an indictment charging such person with having committed a felony, when the plea to such indictment is not guilty and the defense thereunder is insanity, shall be adjudged by the court wherein such trial is pending without further inquest into the mental condition of such person, to

be criminally insane, and such person shall forthwith be conveyed to an institution set apart for the confinement of such persons and there confined for an indeterminate period corresponding to the minimum and maximum of the penalty provided for the crime committed which was charged against such person in such indictment, or which would lie for the crime committed by such person had a prosecution been instituted and such person convicted.

§ 2. Any person who may be charged with the commission of any felony who shall interpose as a defense to such prosecution a plea of not guilty and the defense thereunder is insanity which shall be alleged to have occurred after the commission of such crime, shall be confined upon being found to be insane to the said institution for the criminal insane for a like term as provided in section number one of this Act, but should a new inquest be held for the purpose of determining the mental condition of such person and it be found that such person is at the time of holding such inquest, of sound mind, then such prosecution shall be restored to the docket and stand for trial as if no plea of not guilty and defense of insanity had ever been entered.

§ 3. Within sixty days after the passage of this Act, the State Board of Control shall by order made by them, designate the institution or part thereof, which shall be set apart for the confinement of the criminal insane, and at no time shall other patients or inmates be confined with those who have by orders or judgment been confined in such institution. It is further provided that said board and its successors shall have the power to designate another institution at its discretion at any time.

§ 4. Should it appear from the affidavit of the warden or superintendent of any of the penal or charitable institutions of this State that there is confined in an institution of which he is such warden or superintendent, a person whom he believes to be criminally insane, such person so designated shall be proceeded against in the same manner as other per-

sons not so confined, and if found guilty in such inquest, they shall by orders duly made and entered by the judge of the court wherein such inquest is held, be transferred to the institution set apart for the criminal insane, and there confined for a like period as provided in such original judgment of conviction, if said person is confined in a penitentiary or reformatory.

§ 5. It is further provided that all persons who are committed to said institution for an indeterminate period as provided in Section 1, of this Act, shall be eligible to parole when said persons have remained the minimum time for which they were confined, in cases where no definite time is fixed in said order of confinement said persons shall be subject to parole at any time, but no person shall be paroled unless it first appear by inquest held, that said person is at the time of application of sound mind. The institution designated by the Board of Control as provided herein shall be called, "The Kentucky State Hospital for the Criminal Insane." It is provided herein that should any section or provision of this Act be held unconstitutional it shall not render the remainder thereof invalid, all laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	W. L. Kimbrough	Dr. B. F. Shields
H. H. Barnes	J. M. Knott	H. G. Skiles
W. T. Beckham	Hebron Lawrence	S. G. Smith
S. M. Bennett	Elmer Lusby	R. Lee Stewart
Roy J. Cain	I. S. Mason	Wm. A. Stewart
W. T. Carner	A. J. McCandless	John T. E. Stites
J. F. Carr	R. L. McFerron	Frank L. Strange
T. L. Caudel	Homer C. McLellen	T. R. Stults
A. S. Cooper	Harry J. Meyers	John W. Swope
B. L. Cox	Estill W. Neel	John B. Thomas
J. S. Cruse	Chas. A. Nelson	J. H. Thompson
H. N. Dean	T. P. Oliver	Dr. D. J. Travis
Dr. T. H. Gamblin	T. C. Pryse	C. B. Truesdell
A. L. Hamilton	S. C. Ray	John L. Trumbo
E. C. Hardin	B. F. Reynolds	Daniel Vose
Dr. W. L. Haynes	J. L. Richardson	A. M. Wash
D. J. Howard	Sherman Robbins	J. S. Webb
Robt. Humphreys	Lee Rogers	Dr. T. R. Welch
R. O. Huntsman	B. A. Roth	W. G. Wheeler
J. W. Johnson	Dr. Lewis Ryans	V. M. Williamson
Griffin Kelly	Chas. R. Scott	Dr. W. S. Yazell
Frank Kennard	W. P. Scott	

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 69. An Act to repeal Chapter 85a, Section 2651a of Carroll's Statutes, entitled, "Merchandise—To Regulate Sale of in Bulk," and to enact a law in lieu thereof to regulate the sales in bulk of stocks of merchandise or fix-

tures of stocks and fixtures and to prescribe penalties for the violation thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 85a, Section 2651a of Carroll's Statutes, be and the same is hereby repealed and in lieu thereof, be it enacted, that it shall be the duty of every person who shall bargain for or purchase and every auctioneer or agent who shall sell for another any stock of goods, wares or merchandise of any kind in bulk or fixtures or stock and fixtures in bulk for cash or credit before paying to the vendor or his agent any part of the purchase price thereof or delivering any promissory note or other evidence of indebtedness therefor or offering such stock or fixtures or stock and fixtures for sale to demand of and receive from such vendor or his agent or if the vendor or agent be a corporation then from the chief officer or managing agent of such corporation, a written verified statement of all the creditors of the said vendor together with their addresses and the amount of the indebtedness due or owing and to become due to each of such creditors, and an accurate inventory of the stock or fixtures or stock and fixtures to be purchased or sold, and it shall be the duty of said vendor or his agent to furnish the said statement which shall be verified before any officer authorized to administer an oath.

§ 2. Thereupon it shall be the duty of the person who shall bargain for or purchase or offer for sale as auctioneer or agent such stock or fixtures, or stock and fixtures, to notify personally or by registered mail each of the creditors of the said vendor as appears on said list, of the proposed sale, the price to be paid therefor, or the time set for the sale of said goods or fixtures or goods and fixtures if same are to be sold at auction and the terms and conditions of said sale and a

copy of the statement of creditors provided for in Section 1 of this Act, and said notice shall be given or sent at least ten days before the completion of said purchase or sale or any payment therefor.

§ 3. Whenever any person shall bargain for or purchase or sell as an auctioneer or as agent bargain for or purchase for another, any stock of goods, wares or merchandise of any kind or fixtures in bulk for cash or on credit and shall pay any part of the purchase price to such vendor or execute or deliver to the vendor thereof, or to his order, or to any person for his use any promissory note or other evidence of indebtedness for said purchase price or any part thereof without first having demanded and received from said vendor or from his agent the verified statement provided for in Section 1 of this Act and without first having sent the notice of sale and a copy of the statement of creditors as provided for in Section 2 of this Act, and without paying or seeing to it that the purchase money for said property is applied to the payment of the bona fide claims of the creditors of the vendor pro rata according to the dignity of their several claims as shown upon such verified statement, then such sale or transfer shall be fraudulent and void and shall operate as a general assignment for the benefit of the creditors of the vendor, and such purchaser or auctioneer or agent shall at the suit or option of any creditor be held liable to the creditors of said vendor for the fair value of all the property so bought or sold. Provided, further that no proceeding at law or equity shall be brought against the purchaser to invalidate any such sale after the expiration of four months from the consummation thereof.

§ 4. Any vendor of any stock of goods in bulk, or fixtures or stock and fixtures, or any person who is acting for or on behalf of any vendor, who with intent to defraud shall make or deliver or cause to be made or delivered a statement as provided for in Section 1 of this Act which shall not include the names of all of the creditors of such vendor with

their addresses and the correct amount due and to become due to each of them or which shall contain any false or untrue statement, shall be deemed guilty of a misdemeanor and upon conviction therefor, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by confinement in the county jail not less than thirty days nor more than six months, or both so fined and imprisoned in the discretion of the jury.

§ 5. A sale and transfer or attempted sale and transfer in bulk in contemplation of this Act shall be deemed to be any sale or transfer of the whole or a large part of any stock of goods, wares or merchandise of any kind, or fixtures, or stock and fixtures in bulk by auction or otherwise than in the ordinary course of trade and in the regular and usual prosecution of the seller's business: Provided, however, that if such vendor produces and delivers a written waiver of the provisions of this Act from his creditors as shown by such verified statement, then in that case the provisions of this Act in so far as waived shall not apply.

§ 6. Nothing contained in this Act shall apply to sales made under any order of a court or to any sales made by assignees for the benefit of creditors, executors, administrators, receivers or any public officer in his official capacity.

§ 7. Provided that nothing herein contained shall prevent or hinder the vendor from demanding and receiving security from any purchaser to insure faithful performance of the contract agreeable to the provisions of this Act prior to furnishing the list of creditors as hereinabove set forth.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Joseph Lazarus	Chas. R. Scott
H. H. Barnes	Rev. J. A. Lee	W. P. Scott
W. T. Beckham	I. S. Mason	S. G. Smith
S. M. Bennett	A. J. McCandless	H. A. Spillman
Roy J. Cain	R. L. McFerron	R. Lee Stewart
J. F. Carr	Homer C. McLellen	John T. E. Stites
T. L. Caudel	John T. Murphy	John W. Swope
B. L. Cox	Estill W. Neel	Dr. D. J. Travis
J. S. Cruse	Chas. A. Nelson	John L. Trumbo
J. W. Geveden	T. P. Oliver	Daniel Vose
A. L. Hamilton	T. C. Pryse	Geo. C. Waggoner
E. C. Hardin	S. C. Ray	J. S. Webb
Henry Kaufman	B. F. Reynolds	Gladstone Wesley
Frank Kennard	J. L. Richardson	V. M. Williamson
W. L. Kimbrough	Sherman Robbins	W. N. Winn
J. M. Knott	Lee Rogers	Dr. W. S. Yazell
Hebron Lawrence	B. A. Roth	

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Those who voted in the negative were—

P. A. Day	D. J. Howard	Frank L. Strange
H. N. Dean	J. W. Johnson	John B. Thomas
H. C. Duffy	Griffin Kelly	J. Wood Vance
J. M. Foster	Dr. B. F. Shields	
Dr. W. L. Gossett	U. G. Skiles	

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 156. An Act to amend section twenty-one (21), chapter one (1), title three (3) of the Civil Code of Practice, providing for the bringing of actions by persons acting for others.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section twenty-one (21), chapter one (1), title three (3), of the Civil Code of Practice, be amended by adding the word "trustee," after the word "assignee," and by adding the words "An assignee for the benefit of creditors," and by adding the words "administrator de bonis non," so that said section, as amended and re-enacted shall read as follows, to-wit.:

Section 21. A personal representative, guardian, curator, committee of a person of unsound mind, trustee of an express trust, a person with whom or in whose name a contract is made for the benefit of another, a receiver appointed by a court, the assignee or trustee of a bankrupt, an assignee for the benefit of creditors, an administrator de bonis non, or a person expressly authorized by statute to do so, may bring an action without joining with him the person for whose benefit it is prosecuted.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	J. W. Johnson	W. P. Scott
L. H. Ballard	Henry Kaufman	E. E. Shannon
H. H. Barnes	Frank Kennard	H. G. Skiles
W. T. Beckham	W. L. Kimbrough	S. G. Smith
S. M. Bennett	J. M. Knott	R. Lee Stewart
J. M. Billiter	Hebron Lawrence	John T. E. Stites
Roy J. Cain	Joseph Lazarus	Frank L. Strange
J. F. Carr	Elmer Lusby	T. R. Stults
A. S. Cooper	I. S. Mason	John W. Swope
B. L. Cox	Homer C. McLellen	John B. Thomas
J. M. Foster	John T. Murphy	Dr. D. J. Travis
Dr. T. H. Gamblin	Estill W. Neel	J. Wood Vance
J. W. Geveden	Chas. A. Nelson	Fred C. VanHoose
Dr. W. L. Gossett	T. C. Pryse	Geo. C. Waggoner
A. L. Hamilton	B. F. Reynolds	A. M. Wash
E. C. Hardin	J. L. Richardson	Gladstone Wesley
Dr. W. L. Haynes	Sherman Robbins	W. G. Wheeler
D. J. Howard	Lee Rogers	W. N. Winn
Robt. Humphreys	Chas. R. Scott	Dr. W. S. Yazell

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There voted in the negative—

A. J. McCandless

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following bills and resolution, passed by the House, were sent to the Senate:

Senate Bills Nos. 323, 201, 264, 150, 169, 3, 69 and 156.

House Resolution No. 46.

A message was received from the Senate announcing that it had passed the following bills:

House Bills Nos. 491 and 538.

Ordered, that said bills be enrolled.

House Bill No. 466, with certain amendments thereto.

House Bill No. 533, with certain amendments thereto.

House Bills Nos. 408 and 489.

Ordered, that said last named two bills be enrolled.

Also, that it had concurred in House Resolutions Nos. 45 and 46.

Ordered that said two resolutions be enrolled.

A message was received from the Senate announcing that it had failed to pass House Bill No. 274 (known as the bill to free "Old Ring".)

A message was received from the Senate by the hands of Senator Perry, announcing that it had passed House Bills Nos. 312, 328 and 512.

Ordered, that said bills be enrolled.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 230. An Act to amend Section 3 of Chapter 1 of the Acts of the General Assembly of 1916, relating to the granting of free passes or free transportation by the common carriers of this Commonwealth.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3 of Chapter 1 of the Acts of the General Assembly of 1916 be amended and re-enacted, so that said section, when so amended and re-enacted, shall read as follows:

Sec. 3. If any officer, agent, attorney or employe of such common carrier be also a State, county, district or municipal officer, member of the General Assembly or Judge, or any other officer except school trustees, then the exemption or exception contained in section two of this Act shall not apply, but the provision of section one and the penalties prescribed by this Act shall apply to the giving and acceptance, for the use or attempted use, of a free pass or free transportation.

Mr. Humphreys offered the following amendment:

Amend Senate Bill No. 230 in the House, by adding after the word "trustees," beginning in the sixth line and ending in the seventh line, on page 1 of the printed bill, the following: "Or a member of the city council, or mayor, of a city of the fourth, fifth or sixth class."

Said amendment was disagreed to.

Mr. Murphy moved that the bill do lie on the table.

Upon a division, said motion was agreed to, 42 for, 11 against said motion.

So the bill was tabled.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 362. An Act relating to the Clerk of the Court of Appeals, requiring him to make monthly reports under oath of all moneys received by him on account of his official duties or position from all sources, and to pay over to the Auditor the amounts so received; deputies allowed; and making provision for the salary of the Clerk of the Court of Appeals and his deputies.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all fees hereafter collected by the Clerk of the Court of Appeals, as shown by his report required to be made, shall be paid into the treasury of the Commonwealth of Kentucky, and there is hereby appropriated out of the general expenditure fund the sum of four thousand dollars (\$4,000.00), to be paid in monthly installments, on the warrant of the Auditor of Public Accounts to the Clerk of the Court of Appeals, which shall be in full compensation for his services.

§ 2. It shall be the duty of the Clerk of the Court of Appeals to report to the Auditor under oath the amounts received by him on account of his official duties or position, from all sources, on the first day of each month during the year, and with such statement pay to the Auditor the amounts so received by him, which shall be recovered into the treasury to the credit of the general expenditure fund, and should he fail to report, as required by this section, he shall be fined not less than one nor more than five hundred dollars, and, upon conviction, a judgment shall be entered declaring his office vacant.

§ 3. The salaries of the deputies of the Clerk of the Court of Appeals shall be fixed by an order of the Court of Appeals, a copy of which order shall be filed with the Auditor by the clerk of said court, when made; and it shall be the duty of the Auditor of Public Accounts hereafter to draw his warrant in favor of such deputies and employes each month for such salaries, which shall be paid out of the general expenditure fund by the treasurer.

§ 4. Such sections of the Kentucky Statutes as are in conflict with this Act are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	A. S. Cooper	Robt. Humphreys
L. H. Ballard	B. L. Cox	J. W. Johnson
H. H. Barnes	J. S. Cruse	Henry Kaufman
W. T. Beckham	H. N. Dean	Frank Kennard
S. M. Bennett	Dr. W. L. Gossett	W. L. Kimbrough
J. M. Billiter	A. L. Hamilton	Dr. S. D. Laughlin
Roy J. Cain	E. C. Hardin	Hebron Lawrence
W. T. Carner	Dr. W. L. Haynes	Joseph Lazarus
T. L. Caudel	D. J. Howard	Elmer Lusby

I. S. Mason	S. G. Smith	John L. Trumbo
A. J. McCandless	H. A. Spillman	J. Wood Vance
R. L. McFerron	R. Lee Stewart	Fred C. VanHoose
John T. Murphy	Wm. A. Stewart	Geo. C. Waggoner
Estill W. Neel	John T. E. Stites	A. M. Wash
T. P. Oliver	Frank L. Strange	J. S. Webb
T. C. Pryse	T. R. Stults	Dr. T. R. Welch
J. L. Richardson	John W. Swope	Gladstone Wesley
Lee Rogers	John B. Thomas	W. G. Wheeler
B. A. Roth	J. Mack Thompson	R. E. Wilborn
W. P. Scott	J. H. Thompson	V. M. Williamson
E. E. Shannon	Dr. D. J. Travis	W. N. Winn
H. G. Skiles	C. B. Truesdell	Dr. W. S. Yazell

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, moved that the rules be suspended and that the House take up for consideration Senate Resolution No. 30.

Said motion was agreed to.

Said resolution is as follows:

Resolution providing for furnishing Kentucky directories.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the State Librarian is hereby authorized and directed to purchase at not exceeding one dollar and fifty cents per copy, five hundred copies of the book entitled, "Ken-

tucky Directory 1920'' for the use of the courts, State and county officials and members of the General Assembly. The Librarian will furnish the members of the General Assembly and such officials as may be designated by the presiding officers of the respective Houses a copy of the same and will furnish the State officials with copies thereof and send a copy thereof to the clerk of the county court of each county of the State, to be kept in his office. The Librarian will furnish to the Librarian of each State and territory of the Union a copy of said book in exchange for similar books from the said States and territories and a copy to the Librarian of Congress.

Section 2. It being necessary that the officials should have the books herein provided for, an emergency is declared and this resolution shall take effect upon its adoption and approval by the Governor.

The yeas and nays being taken on the passage of said resolution resulted as follows:

Those who voted in the affirmative were—

Sidney Alfrey	Dr. W. L. Haynes	Estill W. Neel
L. H. Ballard	D. J. Howard	Chas. A. Nelson
H. H. Barnes	Robt. Humphreys	T. C. Pryse
W. T. Beckham	J. W. Johnson	S. C. Ray
J. M. Billiter	Henry Kaufman	B. F. Reynolds
Rodney G. Bryson	Frank Kennard	J. L. Richardson
W. T. Carner	W. L. Kimbrough	Sherman Robbins
J. F. Carr	J. M. Knott	Lee Rogers
T. L. Caudel	Dr. S. D. Laughlin	B. A. Roth
A. S. Cooper	Hebron Lawrence	Chas. R. Scott
J. S. Cruse	Rev. J. A. Lee	W. P. Scott
P. A. Day	Elmer Lusby	H. G. Skiles
H. N. Dean	R. C. Marcum	S. G. Smith
Dr. T. H. Gamblin	A. J. McCandless	R. Lee Stewart
A. F. Hanberry	R. L. McFerron	Wm. A. Stewart
E. C. Hardin	Homer C. McLellen	John T. E. Stites

T. R. Stults	Fred C. VanHoose	W. G. Wheeler
John W. Swope	Daniel Vose	R. E. Wilborn
John B. Thomas	Geo. C. Waggoner	V. M. Williamson
J. Mack Thompson	A. M. Wash	W. N. Winn
Dr. D. J. Travis	J. S. Webb	Dr. W. S. Yazell
C. B. Truesdell	Dr. T. R. Welch	
J. Wood Vance	Gladstone Wesley	—67

So said resolution was adopted.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 373. An Act to amend Section 3563, Kentucky Statutes, being Section II of an Act which became a law in the year 1916, being entitled: "An Act to amend and re-enact Sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578 of the Kentucky Statutes relating to the control and improvements of public streets, alleys, sidewalks, roads, lanes, avenues, highways and thoroughfares in cities of the fourth class," so as to require counties to pay for the cost of all improvements imposed by the city ordinance upon the property of counties abutting upon streets in cities of the fourth class, to the same extent as other property owners.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the word "County," be stricken out of Section 3563, Kentucky Statutes, which is Section II, of an Act entitled:

"An Act to amend and re-enact Sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, of the Kentucky Statutes, relating to the control and improvement of public streets, alleys, sidewalks,

roads, lanes, avenues, highways, and thoroughfares in cities of the fourth class."

Which became a law without the approval of the Governor following the adjournment of the General Assembly in the year 1916, wherever the said word "County" appears, and by adding to said section the following proviso, namely:

"Provided that any county may be required by the city council to pay the cost of all improvements in streets upon which its property abuts in the same manner as other property owners."

So that said section, as amended, shall read as follows:

Section 3563. Improvement of Public Ways—Ordinance for—At Cost of Abutting Property Owners—Tax Assessed to Pay Such Cost—Penalty for Non-Payment—Lien—Void, When—Partial Construction by Street Railway—Part Paid by City, When.—The board of council may, by ordinance, provide for the improvement of streets, alleys and other public ways and sidewalks (including curbing and guttering), or parts thereof in the manner herein set out. The improvement of any public way or sidewalk by original or reconstruction or by resurfacing upon a foundation already in place, shall be deemed an improvement within the provisions of this Act. An ordinance for improvement of any public street or sidewalk as contemplated in this section shall have two readings before the board of council and ten days shall intervene between the first and second readings. The improvement of public ways and sidewalks (including curbing and guttering), except as hereinafter provided, shall be made at the exclusive cost of the owners of real estate abutting on such improvement, to be apportioned among and assessed upon the lots or parcels of real estate abutting feet, and a tax shall be levied upon such lots or parcels of real estate for the payment of the cost assessed thereon, which tax shall be due and payable at the city treasurer's office upon the completion of the work and acceptance thereof by the board of council, unless otherwise provided in the ordinance ordering such im-

provement, and no property shall be exempt from such improvement tax. Any such tax which is not paid within thirty days after the same becomes due shall have added thereto a penalty of ten per cent of the amount of the tax. There shall be a lien upon such lots or parcels of real estate for the part of the cost of such improvement so assessed thereon, and the same shall bear interest at the rate of six per cent per annum from the time of the assessment until paid. Any assessment for any street improvement as provided in this section which exceeds one-half of the value of the lots or parcels of real estate upon which the assessment is made shall be void as to such excess, but the improvement shall be taken into consideration in fixing the value of such real estate and the board of council shall provide for the payment of any such excess out of the general fund. When in any such city, having therein a street railway and the railway company is required by its franchise, or by any contract with the city, to pave or improve any part of the streets or alleys of the city, proposed to be improved, the cost of paving such portion of such streets or alleys shall be assessed against such railway company and a tax shall be levied upon all property, assets and franchises of such company in the city for the payment thereof. Such tax shall constitute a first lien upon all property, assets and franchises of all kinds whatsoever, of such company within the corporate limits of the city, and shall be due and payable at the same time and in the same manner and shall bear like interest as the taxes assessed against the abutting property. Such railway company shall have the right to construct its own part of such proposed improvement, and, if it shall do so, no tax shall be assessed against such company; provided, however, that such company shall, before the letting of the contract for such improvement, elect by written request presented to the board of council to construct its part of such improvement, and shall execute a bond to the city with good and sufficient surety, to be approved by the mayor, conditioned that it will do the work of improving

such part of the street with such material and according to such plans and specifications and within such time and subject to such provisions as the ordinance therefor may prescribe. The city shall pay the cost of the improvement of intersections with other public ways, including one-half of the width of the street or alley, being improved, opposite other streets or alleys which run into, but do not cross the street or alley so being improved, and of that proportion of any street abutting upon property belonging to the city, and shall pay the cost of all improvements where the abutting owner is a public school, cemetery, State or United States.

The city treasurer shall keep in his office, in a book to be provided for that purpose, a record of all assessments of local taxes as provided in this section, showing the name and portion of the street in which the improvement is made, the character of the improvement and the names of the persons against whose property the assessments are made.

Such record shall be subject to inspection by any person desiring to inspect the same, and shall be conclusive evidence of notice to all persons of such assessments and the liens created thereby. Upon payment of any improvement tax to the treasurer, he will make proper entry thereof in the record book herein provided for, whereupon the lien for such tax shall stand released. All local taxes paid into the city treasury shall, from time to time, be paid over to the contractor or other person entitled thereto, upon order of the board of council. The treasurer shall carefully keep a separate account of the fund arising from assessments for each particular improvement, and no proceeds arising from assessment for one improvement shall be diverted to the payment for any other improvement whatever. The proceeds shall in each case constitute a separate special fund for the payment of the constructor for the particular work for which the assessment is made, or for the security and payment of improvement bonds, if any are issued, as provided in Section 3577 for such improvement. The board of council of any city

of the fourth class may provide by general ordinances that such (city) shall pay part, and if so, what part of the cost of improvement of the streets, alleys, sidewalks and other public ways of such city. When such provision is made it shall be uniform and shall thereafter apply to the improvement of all streets, alleys, sidewalks and public ways in the city, and such general provision shall not thereafter be changed or repealed except at intervals of ten years or more. "Provided that any county may be required by the city council to pay the cost of all improvements in streets upon which its property abuts in the same manner as other property owner."

Inasmuch as important public improvements in cities of the fourth class are being held up and impeded by the present inability of cities of the fourth class to pay for improvements abutting county property, an emergency is declared to exist and this Act shall take effect from and after its passage.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. H. Barnes	J. S. Cruse	Dr. T. H. Gamblin
Rodney G. Bryson	P. A. Day	A. L. Hamilton
Roy J. Cain	H. N. Dean	E. C. Hardin
J. F. Carr	H. C. Duffy	Dr. W. L. Haynes

Adam W. Huff	Chas. A. Nelson	John W. Swope
Robt. Humphreys	S. C. Ray	John B. Thomas
J. W. Johnson	J. L. Richardson	J. Mack Thompson
Henry Kaufman	Sherman Robbins	C. B. Truesdell
J. M. Knott	Lee Rogers	Daniel Vose
Hebron Lawrence	B. A. Roth	Geo. C. Waggoner
Joseph Lazarus	Chas. R. Scott	J. S. Webb
Elmer Lusby	W. P. Scott	Dr. T. R. Welch
A. J. McCandless	H. G. Skiles	Gladstone Wesley
Homer C. McLellen	S. G. Smith	W. G. Wheeler
John T. Murphy	R. Lee Stewart	V. M. Williamson
Estill W. Neel	T. R. Stults	Dr. W. S. Yazell

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Those who voted in the negative were—

L. H. Ballard	Frank Kennard	J. H. Thompson
W. T. Beckham	W. L. Kimbrough	Dr. D. J. Travis
W. T. Carner	Dr. S. D. Laughlin	J. Wood Vance
Dr. W. L. Gossett	R. L. McFerron	Fred C. VanHoose
A. F. Hanberry	Wm. A. Stewart	A. M. Wash
D. J. Howard	John T. E. Stites	W. N., Winn

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 324. An Act to amend and re-enact Section 518, Civil Code of Practice, relating to the modification of judgment after term by court rendering it.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 518, Civil Code of Practice, be, and the same is, hereby amended and re-enacted so that after amendment it will read as follows:

The court in which a judgment has been rendered shall have power, after the expiration of the term, to vacate or modify it.

1. By granting a new trial for the cause and in the manner prescribed in Section 344.

2. By a new trial granted in proceedings against defendants constructively summoned, as is prescribed in Chapter 1 of title X.

3. For misprisions of the clerk.

4. For fraud practiced by the successful party in obtaining the judgment.

5. For erroneous proceedings against a person under disability except coverture, if the condition of such defendants do not appear in the record, nor the error in the proceedings.

6. For the death of one of the parties before the judgment in the action.

7. For unavoidable casualty or misfortune preventing the party from appearing or defending.

8. For errors in a judgment, shown by an infant within twelve months after arriving at full age, as is prescribed in Section 391.

9. When any paper purporting to be the last will of any person has been, or may be hereafter admitted to probate, and a later will has been discovered.

A judgment on this ground, however, shall not be vacated or modified after the time from the death of the testator in which letters of original administration might be granted under the provisions of Section 3895, Kentucky Statutes, and not until the validity of such later will has been determined in

the proceedings to vacate or modify the former judgment as provided in Section 520, Civil Code. When such former judgment has been vacated or modified, such later will shall be admitted to probate in the manner and under the laws governing the probate of wills before the expiration of five years. The judgment establishing such later will and vacating the judgment establishing the former will shall be without prejudice to the vested rights of innocent third parties, but contracts or agreements between parties in interest made without knowledge of such later will may be set aside or modified on equitable grounds. The court in which relief is sought for the reasons herein set out, may enter such orders as may be necessary to protect the rights of the parties during the pendency of the proceedings. In all such proceedings either party shall have the right of appeal to the circuit court or the Court of Appeals as in other will cases.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey
L. H. Ballard
H. H. Barnes

Rodney G. Bryson
Roy J. Cain
W. T. Carner

J. F. Carr
A. S. Cooper
P. A. Day

J. B. Denues	Elmer Lusby	Dr. B. F. Shields
Dr. T. H. Gamblin	I. S. Mason	R. Lee Stewart
Dr. W. L. Gossett	A. J. McCandless	Wm. A. Stewart
A. F. Hanberry	R. L. McFerron	John T. E. Stites
E. C. Hardin	Homer C. McLellen	Frank L. Strange
Dr. W. L. Haynes	Harry J. Meyers	T. R. Stults
Robt. Humphreys	John T. Murphy	J. Mack Thompson
J. W. Johnson	Estill W. Neel	J. H. Thompson
Henry Kaufman	Chas. A. Nelson	J. Wood Vance
Griffin Kelly	T. P. Oliver	Daniel Vose
W. L. Kimbrough	S. C. Ray	A. M. Wash
J. M. Knott	J. L. Richardson	J. S. Webb
Dr. S. D. Laughlin	Sherman Robbins	Dr. T. R. Welch
Hebron Lawrence	Lee Rogers	Gladstone Wesley
Joseph Lazarus	B. A. Roth	W. N. Winn
Rev. J. A. Lee	W. P. Scott	Dr. W. S. Yazell

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Those who voted in the negative were—

W. T. Beckham	D. J. Howard	John W. Swope
T. L. Caudel	Frank Kennard	
J. S. Cruse	Chas. R. Scott	

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr Ciarlo, of the Conference Committee on Senate amendments to House Bill No. 323, offered the following report:

The Conference Committee appointed by the President of the Senate and by the Speaker of the House of Representatives for the purpose of conferring and making recommendations with reference to the amendments Nos. 1 and 3 to

House Bill No. 323, adopted by the Senate and in which the House refused to concur, respectfully recommend that the House recede from its refusal to concur in said amendments and after so receding to concur in said amendments.

(Signed) C. S. NUNN,
H. M. BROCK,
W. L. MOSS,

On part of the Senate.

E. W. NEEL,
RODNEY G. BRYSON,
CHAS. M. CIARLO.

On part of the House.

Mr. Ciarlo moved that said report be adopted.

A division of the question was called for.

Then Mr. Ciarlo moved that the House concur in Senate Amendment No. 1.

Upon a division, said motion was agreed to, 38 for, 33 against said motion.

Then Mr. Ciarlo moved that the House concur in Senate Amendment No. 3.

Upon a division, said motion was agreed to, 43 for, 36 against said motion.

So said amendments Nos. 1 and 3 to House Bill 323 were concurred in.

Then Messrs. Ciarlo and another demanded a roll call on said Senate amendments Nos. 1 and 3.

The yeas and nays being taken upon the motion to concur in said Senate amendments Nos. 1 and 3 to House Bill No. 323 were as follows:

Those who voted in the affirmative were:

Sidney Alfrey	A. R. Hudson	B. A. Roth
L. H. Ballard	Henry Kaufman	Dr. Lewis Ryans
H. H. Barnes	W. L. Kimbrough	S. G. Smith
Jo F. Bosworth	Hebron Lawrence	R. Lee Stewart
Rodney G. Bryson	Joseph Lazarus	Wm. A. Stewart
Roy J. Cain	I. S. Mason	T. R. Stults
W. T. Carner	A. J. McCandless	C. B. Truesdell
J. F. Carr	R. L. McFerron	Fred C. VanHoose
Charles M. Ciarlo	Homer C. McLellen	Daniel Vose
A. S. Cooper	Mack J. Morgan	A. M. Wash
H. N. Dean	Estill W. Neel	J. S. Webb
J. B. Denues	S. C. Ray	Gladstone Wesley
Dr. T. H. Gamblin	J. L. Richardson	R. E. Wilborn
A. F. Hanberry	Sherman Robbins	V. M. Williamson
Talbert Holliday	Lee Rogers	Dr. W. S. Yazell

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Those who voted in the negative were—

W. T. Beckham	Dr. S. D. Laughlin	Frank L. Strange
P. A. Day	Rev. J. A. Lee	John W. Swope
J. W. Geveden	Elmer Lusby	John B. Thomas
Dr. W. L. Gossett	John T. Murphy	J. Mack Thompson
E. C. Hardin	Chas. A. Nelson	J. H. Thompson
Dr. W. L. Haynes	T. P. Oliver	Dr. D. J. Travis
D. J. Howard	B. F. Reynolds	John L. Trumbo
Robt. Humphreys	Chas. R. Scott	J. Wood Vance
J. W. Johnson	W. P. Scott	W. G. Wheeler
Griffin Kelly	Dr. B. F. Shields	W. N. Winn
Frank Kennard	H. G. Skiles	
J. M. Knott	John T. E. Stites	

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So said amendments were concurred in.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Joseph Lazarus	S. G. Smith
H. H. Barnes	I. S. Mason	R. Lee Stewart
Jo F. Bosworth	A. J. McCandless	Wm. A. Stewart
Rodney G. Bryson	R. L. McFerron	T. R. Stults
Roy J. Cain	Homer C. McLellen	Dr. D. J. Travis
W. T. Carner	Harry J. Meyers	C. B. Truesdell
J. F. Carr	Mack J. Morgan	John L. Trumbo
A. S. Cooper	Estill W. Neel	Fred C. VanHoose
H. N. Dean	T. P. Oliver	Daniel Vose
J. B. Denues	S. C. Ray	Geo. C. Waggoner
Dr. T. H. Gamblin	J. L. Richardson	A. M. Wash
A. F. Hanberry	Sherman Robbins	J. S. Webb
A. R. Hudson	Lee Rogers	Gladstone Wesley
R. O. Huntsman	B. A. Roth	R. E. Wilborn
Henry Kaufman	Dr. Lewis Ryans	V. M. Williamson
W. L. Kimbrough	W. P. Scott	W. N. Winn
Hebron Lawrence	H. G. Skiles	Dr. W. S. Yazell

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Those who voted in the negative were—

L. H. Ballard	E. C. Hardin	J. W. Johnson
W. T. Beckham	Dr. W. L. Haynes	Frank Kennard
Dr. W. L. Gossett	D. J. Howard	J. M. Knott
A. L. Hamilton	Robt. Humphreys	Dr. S. D. Laughlin

Rev. J. A. Lee	Dr. B. F. Shields	J. H. Thompson
Elmer Lusby	H. A. Spillman	J. Wood Vance
John T. Murphy	John T. E. Stites	Dr. T. R. Welch
Chas. A. Nelson	Frank L. Strange	W. G. Wheeler
B. F. Reynolds	John W. Swope	
Chas. R. Scott	John B. Thomas	

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Mr. Lazarus moved that the amendment to the title proposed in the Senate be not now concurred in, but be referred back to the Conference Committee.

Said motion was agreed to.

Mr. Smith moved that the calendar be now read, and that the bills in the calendar be read the second time by their title only.

Said motion was agreed to.

Then the House took up for consideration from the calendar bills of the following titles:

Senate Bill No. 58, entitled, an Act providing for the oiling of the streets of cities and towns of the fifth and sixth classes of this Commonwealth.

Senate Bill No. 138, entitled, an Act to amend and reenact Chapter 162 of 1918 Acts of the Kentucky Legislature, which is an amendment to Section 4023 of the Kentucky Statutes, Carroll's Edition, 1915, relating to revenue and taxation.

Senate Bill No. 154, entitled, an Act to amend Section 18 of Chapter 112 of the Session Acts of 1918 of the General Assembly of Kentucky, said amendment authorizing the sheriff and his deputies to kill unlicensed dogs found running at large, and providing for the payment of the sheriff and his deputies for such service.

Said bills were severally read the second time by their titles and ordered to be placed in the Orders of the Day.

Mr. Smith moved that after the Enrollment Committee shall have had an opportunity to report and shall have finished its report, the House shall recess until 7:30 p. m. to-night.

Said motion was agreed to.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

Senate Bill No. 206, entitled, a bill providing for the establishment of an independent consolidated graded and high school.

Senate Bill No. 166, entitled, an Act to provide physical education and training for all pupils in the common, graded, State Normal and all other public schools of Kentucky, supported wholly or in part by the State and prescribing the methods of carrying the same into effect; this to be known as Section 4383a, Kentucky Statutes.

Senate Bill No. 17, entitled, an Act to amend Sub-Section 9 of Section 331e of Chapter 18 of the Kentucky Statutes, which was an Act of February 24, 1894, pertaining to children destitute or maltreated.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

A message was received from the Senate announcing that it had passed House Bills Nos. 269, 296, 149, 309, 175, 136, 138, 195 and 205.

Ordered, that said bills be enrolled.

A message was received from the Senate announcing that it had passed House Bill No. 426, with certain amendments thereto.

Also, that it had passed House Bill No. 25 with certain amendments thereto.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills and resolutions of the following titles, viz.:

House Bill No. 429, entitled, an Act granting to women citizens the right to vote for presidential electors, and requiring officers to perform duties with reference thereto.

House Bill No. 489, entitled, an Act providing for the payment, by direction of the Governor, of court costs and expenses of filing and taking of depositions and witnesses' fees in certain proceedings by or on behalf of the Commonwealth to vacate or set aside any order or judgment of the court assessing for taxation for State purposes any property or omitted property, upon the ground of inadequacy, mistake, fraud, or other ground, and seeking to cause a larger assessment to be adjudged, and declaring an emergency.

House Bill No. 374, entitled, an Act to amend and re-enact Sections 3140 and 3138, Kentucky Statutes, Carroll's 1915 Edition, being a part of the charter of cities of the second class, for the better government, administration and disposi-

tion and discipline of the police and fire department, and to create and perpetuate a pension fund for disabled police and firemen, their widows and children and dependent fathers and mothers, and to create and perpetuate a board of trustees for the management and conduct thereof, and to pension members thereof after service of a term of years.

House Bill No. 384, entitled, an Act to amend the first paragraph of Section 331a-4, of Kentucky Statutes, Carroll's Edition, 1915, relating to the granting of certificates for the employment of children.

House Bill No. 226, entitled, an Act relating to free public libraries in cities and towns of the second, third, fourth, fifth and sixth classes of this Commonwealth.

House Resolution No. 30, entitled, resolution authorizing the Auditor of Public Accounts to draw his warrant for \$60.21 in favor of Mary K. Ratliff, a teacher in the public schools of Boldman, Pike County, Kentucky, and the treasurer to pay the same.

House Resolution No. 46, entitled, resolution imposing certain duties on the Tax Commission with reference to mussel shell beds in the Ohio River.

Whereupon all other business was suspended, said bills and resolutions were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills and resolutions.

Ordered, that the Enrolling Clerk deliver said bills and resolutions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills and resolutions which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills and resolutions which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills and resolution of the following titles, viz.:

S. B. 112. An Act to furnish to all the counties in Kentucky the various Acts of the Kentucky Legislature and Journal of the House and Senate of said Legislature, and Kentucky reports where same have been destroyed by fire at a time when the court house of said county was destroyed by fire.

S. B. 200. An Act to amend Section 63 of the Kentucky Statutes, Carroll's Edition, 1915, and Acts amendatory thereto, relating to the State Board of Health, by repealing, amending and re-enacting Sections 2047 and 2053 of said Statutes, and by adding sections creating other bureaus within said board, and by further defining the duties of said board.

S. B. 127. An Act to amend and re-enact Sections 3 and 5 of an Act entitled, "An Act to create the Kentucky Library Commission, to define its powers and duties and to provide for its expenses," which Act is Chapter 27, Acts of 1910, approved March 17, 1910.

S. B. 231. An Act to promote teaching in public schools of humane treatment to animals.

S. B. 45. An Act repealing Sub-Section 2, of Section 4469a, Kentucky Statutes, Carroll's Edition, 1915, and enacting in lieu thereof a new sub-section.

S. B. 148. An Act to amend Section 493 of the Civil Code of Practice.

S. B. 57. An Act to amend Section 962a, Kentucky Statutes, relating to clerical assistance for Judges of Court of Appeals.

S. B. 47. An Act to amend and re-enact Section 1069 of the Kentucky Statutes prohibiting the county judge from practicing law in certain cases and providing duties of the county judge and county clerk.

S. B. 205. An Act regulating the transportation, delivery, and non-liability of common carriers by pipe line of crude petroleum or gas.

S. B. 331. An Act fixing the salary of the Deputy Insurance Commissioner.

S. B. 110. An Act making it unlawful for any person to cut off, erase, deface or in any manner remove from an automobile the manufacturer's serial number, or the serial number, of the motor, providing a penalty therefor and providing that the ownership, possession or control of an automobile from which either of said serial numbers have been erased, defaced, cut off or removed, shall be prima facie evidence that same was done by the person owning, possessing or having control of said automobile.

S. B. 364. An Act relating to the levy and assessment of taxes and providing the manner of assessment and collection of taxes in all schools in the Commonwealth maintained, operated or conducted under any charter granted by this Commonwealth.

S. B. 345. An Act to amend and re-enact Sub-Section 1 of Section 1020; Sub-Section 4 of Section 1020; Sub-Section 6 of Section 1020 and Sub-Section 7 of Section 1020, of the Kentucky Statutes, Carroll's Edition, 1915, and to establish a domestic relations division of the Chancery Branch of Circuit Courts having seven judges, this division to have jurisdiction of all actions or special proceedings involving divorce, alimony, or both, and of all cases and matters coming within the terms and provisions of an Act entitled: "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases and matters coming within the terms and provisions of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all Acts amending these said Acts.

S. B. 90. An Act repealing Sections 177, 178, 183, 185, 186 of the common school law, the same being Sections 4501, 4502, 4502a-4, 4503, respectively, of the Kentucky Statutes, Carroll's Edition, 1915, relating to the certification of teachers and granting of common school diplomas and re-enacting in lieu thereof new provisions.

S. B. 269. An Act to prevent fraud in the sale and disposition of contracts, stocks, bonds, or other securities sold or offered for sale within the Commonwealth of Kentucky by any person, dealer, firm, company, association or corporation, stocks, bonds, or other securities, and an inspection of the business of such persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations or corporations, including dealers and agents as may be necessary to prevent fraud in the sale within this State of any contracts, stocks, bonds, or other securities, and to provide a penalty for the violation thereof, and placing the supervision and enforcement of the law in the hands of the Banking Commissioner.

S. B. 199. An Act authorizing consolidated school districts and county boards of education to issue bonds for the purpose of providing funds for purchasing grounds and constructing buildings for school purposes.

S. B. 311. An Act to enable any city of the first class to provide for constructing, erecting and equipping buildings and grounds of the College of Arts and Sciences of its Municipal University.

S. B. 319. An Act to authorize the incorporation in each county of the State of Kentucky of a County Farm Bureau for the advancement and improvement of agriculture, home economics, animal industry and horticulture co-operating with the college of agriculture of the University of Kentucky and the United States Department of Agriculture, to define the powers and rights of such farm bureaus and its members, to provide for appropriation by county fiscal courts or county commissioners in aid thereof and to provide for the federation of such county farm bureaus.

S. B. 153. An Act to repeal and re-enact Chapter 168, of the Acts of the General Assembly of the Commonwealth of

Kentucky, approved March 29, 1918, entitled, "An Act making unlawful to buy, bargain, sell, loan, own, have in possession, or to operate, or to aid, abet, assist or encourage in the operation, or to harbor a person in the possession or in the operation of an illicit or "moonshine" still and providing a penalty for any violation of this Act; and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this Act, out of the county levy of the county in which the indictment may be returned.

S. B. 358. An Act authorizing the Governor to appoint a commissioner to go to England and accept and receive from the British Government the battle flag of the Kentucky troops captured by the British forces in the Battle of the River Raisin, and to bring and deliver same to the Governor of this Commonwealth, and making an appropriation therefor.

S. B. 356. An Act to amend and re-enact Section 3 of an Act of the 1918 session of the General Assembly of the Commonwealth of Kentucky, same being Chapter 7, of the Acts of 1918, entitled, "An Act to accept the conditions of an Act of Congress of the United States entitled, 'An Act to provide for the promotion of vocational education; to provide for co-operation with the States for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the States in the preparing of teachers for vocational subjects; and to appropriate money and regulate its expenditure;' and to provide for the inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the Act and to provide for the expenses of supervision and inspection of such schools maintaining courses in accordance with the aforesaid Federal Act."

S. B. 167. An Act repealing Sub-Section 1, of Section 4521a, Kentucky Statutes, Carroll's Edition, 1915, being the

same as Section 213, of Chapter 17 of the common school law of 1918, and also Section 216 of the common school law, 1918, and enacting in lieu thereof new provisions relating to the compulsory attendance of pupil children in the common schools of this State:

S. B. 274. An Act to permit banks authorized to do business in Kentucky to Act as fiduciaries.

Senate Resolution No. 26. Resolution for the benefit of Carrie Elizabeth Thompson.

Whereupon all other business was suspended, said bills and resolution were severally read at length and compared in open House and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bills and resolution.

Ordered, that the Enrolling Clerk deliver said bills and resolution to the Senate.

Then the House, at 5:30 p. m., recessed until 7:30 p. m.

EVENING SESSION.

The House reconvened at 7:30 p. m.

Mr. Ciarlo, of the Conference Committee, on the differences of the two Houses in regard to Senate amendments to House Bill No. 323, reported that the Conference Committee had agreed that the title to said bill should be amended to read as follows:

An Act relating to vehicles; regulating their use and operation upon the public highways of this Commonwealth; providing for the registration and licensing of motor ve-

hicles; fixing the amount of the license, and manner of payment thereof; providing for the registration and licensing of operators of motor vehicles and the amount of such license; providing a method of registration of motor vehicles; preventing illegal traffic in motor vehicles; providing penalty for the violation of this Act; and repealing any and all conflicting laws.

Mr. Ciarlo moved that said amendment to the title be adopted.

Said motion was agreed to.

Resolved, that the title to House Bill No. 323 be as amended as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Richardson moved to suspend the rules and take up for immediate consideration Senate Bill No. 160.

Said motion was agreed to.

Then the House took up for consideration, from the Orders of the day, a bill entitled:

Senate Bill No. 160. An Act to amend Section 334 of the Civil Code of Practice, sixth edition, 1919, edited by Hon. John D. Carroll.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 334 of the Civil Code of Practice, sixth edition, 1919, edited by Hon. John D. Carroll, be amended by striking from said section the following words:

“If the judge of said court for any cause does not preside at the said term of the court or no court is held, then the party offering the bill of exceptions shall have until the next term of court to perfect and prepare the bill of exceptions;” and by inserting in lieu thereof the following words:

“If the judge of said court shall die or resign, or his term of office shall expire before the term of court to which time is given to file bill of exceptions, or if the regular judge of the court, or any special judge who shall have tried the case, does not preside at the said next term of court, then it shall be the duty of the regular judge of said court, if present and presiding, or any special judge who may be presiding at said term of court, to sign said bill of exceptions, and make all necessary orders with reference thereto. If no court is held at the term to which time is given to file bill of exceptions, then the party offering the bill of exceptions shall have until the next term of court to perfect and prepare the bill of exceptions;” so that said section, when amended, shall read as follows:

“Section 334. The party objecting must except when the decision is made, and time may be given to prepare a bill of exceptions, but not beyond a day in the succeeding term, to be fixed by the court.

If the judge of said court shall die or resign, or his term of office shall expire before the term of court to which time is given to file bill of exceptions, or if the regular judge of the court, or any special judge who shall have tried the case, does not preside at the said next term of court, then it shall be the duty of the regular judge of said court, if present and presiding, or any special judge who may be presiding at said term of court, to sign said bill of exceptions, and make all necessary orders with reference thereto.

If no court is held at the term to which time is given to file bill of exceptions, then the party offering the bill of ex-

ceptions shall have until the next term of court to perfect and prepare the bill of exceptions."

§ 2. All laws in conflict with this Act are hereby repealed.

Mr. Richardson offered the following amendment:

Amend Senate Bill No. 160 by inserting after the word "exceptions" in line 15 and also in line 30 of the printed bill, the words "and attest the transcript of testimony taken by the official stenographic reporter."

Said amendment was agreed to.

Ordered, that said bill be read the third time.

Mr. Richardson moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Roy J. Cain	Charles M. Ciarlo
L. H. Ballard	W. T. Carner	A. S. Cooper
H. H. Barnes	J. F. Carr	J. S. Cruse
J. M. Billiter	T. L. Caudel	P. A. Day

H. N. Dean	A. J. McCandless	John T. E. Stites
J. B. Denues	R. L. McFerron	Frank L. Strange
J. M. Foster	Homer C. McLellen	T. R. Stults
Dr. T. H. Gamblin	Harry J. Meyers	John B. Thomas
J. W. Geveden	Claude D. Minor	J. H. Thompson
A. F. Hanberry	John T. Murphy	C. B. Truesdell
E. C. Hardin	Estill W. Neel	John L. Trumbo
Dr. W. L. Haynes	Chas. A. Nelson	J. Wood Vance
A. R. Hudson	S. C. Ray	Fred C. VanHoose
Adam W. Huff	B. F. Reynolds	Daniel Vose
Robt. Humphreys	J. L. Richardson	A. M. Wash
J. W. Johnson	Sherman Robbins	J. S. Webb
Frank Kennard	B. A. Roth	Gladstone Wesley
W. L. Kimbrough	Dr. Lewis Ryans	R. E. Wilborn
J. M. Knott	W. P. Scott	V. M. Williamson
Hebron Lawrence	E. E. Shannon	W. N. Winn
Joseph Lazarus	S. G. Smith	Dr. W. S. Yazell
R. C. Marcum	R. Lee Stewart	
I. S. Mason	Wm. A. Stewart	

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Resolved, that the title thereof be as aforesaid.

Mr. Richardson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, moved that the House take up for consideration the Senate amendments to House Bill No. 533.

Said motion was agreed to.

Said amendments are as follows:

(1) Amend Section 1 of House Bill 533, by striking out the word "sixty" in line 1 thereof, and inserting in lieu there-

of the word "forty," and by changing the period after the word "grown," in the tenth line thereof to a comma and adding immediately thereafter these words, "except that cities and counties of the State may each impose an ad valorem tax of not exceeding fifteen cents on each one hundred dollars of the fair cash value of all such unmanufactured agricultural products subject to taxation within their limits."

(2) Amend House Bill 533 by adding Section 5 thereof, which shall be as follows: "Section 5. If any provision of this Act is held invalid, it shall not affect in any way the other provisions of the Act, but they shall remain in full force and effect."

(3) Amend House Bill 533, by striking out all of Section 4 and substituting the following as Section 4: "In event a referendum is desired upon this Act, then such referendum shall be conducted in all things in the manner provided in Chapter 8 of the Acts of the Special 1917 Session of the General Assembly."

(4) Amend House Bill 533, by adding Section 5 thereto, which shall be as follows: "All laws and parts of laws in conflict herewith are hereby repealed."

(5) Amend House Bill 533, Section 2, line 1, after the word "all" by adding the word "State."

Said amendments were concurred in.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill, in accordance with the provision of the Constituion were as follows:

Those who voted in the affirmative were—

Sidney Alfrey	Henry Kaufman	E. E. Shannon
H. H. Barnes	W. L. Kimbrough	S. G. Smith
J. M. Billiter	Hebron Lawrence	R. Lee Stewart
Rodney G. Bryson	Joseph Lazarus	Wm. A. Stewart
Roy J. Cain	I. S. Mason	John T. E. Stites
W. T. Carner	A. J. McCandless	T. R. Stults
J. F. Carr	R. L. McFerron	C. B. Truesdell
Charles M. Ciarlo	Homer C. McLellen	John L. Trumbo
A. S. Cooper	Mack J. Morgan	J. Wood Vance
P. A. Day	Estill W. Neel	Fred C. VanHoose
H. N. Dean	T. P. Oliver	Daniel Vose
J. B. Denues	T. C. Pryse	A. M. Wash
J. M. Foster	S. C. Ray	J. S. Webb
Dr. T. H. Gamblin	J. L. Richardson	Dr. T. R. Welch
A. F. Hanberry	Sherman Robbins	Gladstone Wesley
A. R. Hudson	B. A. Roth	R. E. Wilborn
Adam W. Huff	Dr. Lewis Ryans	V. M. Williamson
R. O. Huntsman	W. P. Scott	Dr. W. S. Yazell

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Those who voted in the negative were—

T. L. Caudel	Griffin Kelly	Chas. R. Scott.
J. S. Cruse	J. M. Knott	H. G. Skiles
H. C. Duffy	Dr. S. D. Laughlin	Frank L. Strange
A. L. Hamilton	Harry J. Meyers	John B. Thomas
E. C. Hardin	Cláude D. Minor	J. H. Thompson
Dr. W. L. Haynes	John T. Murphy	W. G. Wheeler
Robt. Humphreys	Chas. A. Nelson	W. N. Winn
J. W. Johnson	B. F. Reynolds	

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Mr. Smith moved that the Senate amendment to the title be adopted.

Said amendment is as follows:

Amend the title to House Bill 533 by striking from lines 5 and 6 thereof the following words "exempting unmanufactured agricultural products from local ad valorem taxation," and substituting in lieu thereof, "limiting the local rate of ad valorem taxation on unmanufactured agricultural products."

Said amendment was concurred in.

Resolved, that the title of said bill be as amended as aforesaid.

Mr. Smith moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Smith, of the Committee on Rules, moved that the House take up for consideration the Senate amendment to House Bill No. 426.

Said motion was agreed to.

Said amendment is as follows:

Amend House Bill 426 by striking out all of lines 4, 5, 6, 7, 8, 9, 10, 11 and 12 on page 1 of the printed bill.

Said amendment was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Frank Kennard	J. L. Richardson
H. H. Barnes	W. L. Kimbrough	Sherman Robbins
J. M. Billiter	Dr. S. D. Laughlin	B. A. Roth
Rodney G. Bryson	Joseph Lazarus	Dr. Lewis Ryans
Roy J. Cain	I. S. Mason	Chas. R. Scott
W. T. Carner	A. J. McCandless	W. P. Scott
J. F. Carr	R. L. McFerron	H. G. Skiles
A. S. Cooper	Homer C. McLellen	S. G. Smith
P. A. Day	Harry J. Meyers	H. A. Spillman
Dr. T. H. Gamblin	Claude D. Minor	R. Lee Stewart
A. F. Hanberry	Mack J. Morgan	John T. E. Stites
E. C. Hardin	John T. Murphy	T. R. Stults
A. R. Hudson	Estill W. Neel	John B. Thomas
Adam W. Huff	Chas. A. Nelson	J. Mack Thompson
Robt. Humphreys	T. C. Pryse	J. H. Thompson
R. O. Huntsman	S. C. Ray	C. B. Truesdell
Henry Kaufman	B. F. Reynolds	J. Wood Vance

Daniel Vose	Dr. T. R. Welch	W. N. Winn	
A. M. Wash	Gladstone Wesley	Dr. W. S. Yazell	
J. S. Webb	R. E. Wilborn		—59

Those who voted in the negative were—

II. C. Duffy	Hebron Lawrence	John L. Trumbo	
J. W. Johnson	Wm. A. Stewart	W. G. Wheeler	
J. M. Knott	Frank L. Strange		—8

Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Smith, of the Committee on Rules, moved that the House take up for consideration the Senate amendments to House Bill No. 466.

Said motion was agreed to.

Said amendments are as follows:

(1) Amend House Bill 466 by inserting in line 6 of Section 1, on page 1, after the word "hotel," the words "having ten or more rooms."

(2) Amend Section 1, line 27, by striking out the words "fifteen dollars" and insert in lieu thereof the words "twenty-five dollars."

(3) Amend House Bill 466, in lines 32 and 33 of the printed bill, by striking out the words "twenty-five dollars" and inserting in lieu thereof the words "ten dollars."

(4) Amend House Bill 466, by adding immediately after the word "dollars" in line 31 thereof, the following words:

“on each person, firm or corporation carrying on a drug business selling patent or proprietary medicines from a fixed place of business, ten dollars.”

(5) Amend House Bill 466 by adding after the word “Act” in line 37 of Section 1, the following: “On each and every undertaker a license tax of \$100.00.”

(6) Amend House Bill 466 by striking out the words “three dollars” in line 40 of the printed bill, and substituting in lieu thereof the words “five dollars.”

(7) Amend House Bill 466, line 40, by striking out the word “and” and inserting in lieu thereof the word “or.”

(8) Amend House Bill 466 by striking out the word “for,” in line 51 of the printed bill, and substituting in lieu thereof the word “from.”

(9) Amend House Bill 466 by adding at the end of line 51 on page 3, Section 1, the following words: “This provision shall not apply to chautauquas, or to buildings owned by religious or charitable organizations in which public exhibitions or performances are given at which a charge is or may be exacted for those attending same.”

(10) Amend House Bill 466 by striking from Section 1, on page 3, lines 52 to 58, inclusive.

(11) Amend House Bill 466 in Senate by striking out lines 59, 60 and 61 in said bill.

(12) Amend House Bill 466 by adding the following clause at end of Section 1 and before Section 2: “Loan companies. On each person, firm or corporation doing business as a loan company \$250.00. This shall not apply to banks, trust companies or building and loan associations.”

Amendments Nos. 1, 2, 3, 6, 7, 8, 9, 10, 11 and 12, as above set out, were separately voted upon, and the House concurred in said amendments.

Amendments Nos. 4 and 5, above set out, were voted upon separately, and the House refused to concur in said two amendments.

The action of the House in concurring in said amendments except those numbered 4 and 5, and refusing to concur in them, was certified to the Senate by the chief clerk.

Mr. Smith, of the Committee on Rules, moved that the House take up for immediate consideration the Senate amendments to House Bill No. 25.

Said motion was agreed to.

Said amendments are as follows:

(1) Amend House Bill 25 in line 6 by eliminating the words "and twenty-five cents."

Said amendment was concurred in.

(2) Amend House Bill 25 in line 19 by eliminating the words and figures "75 cents" and substituting therefor the words "one dollar."

Said amendment was concurred in.

(3) Amend House Bill 25 in line 25 by eliminating the words "and twenty-five cents."

Said amendment was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

Sidney Alfrey	Henry Kaufman	W. P. Scott
L. H. Ballard	Griffin Kelly	Dr. B. F. Shields
H. H. Barnes	Frank Kennard	H. G. Skiles
J. M. Billiter	J. M. Knott	S. G. Smith
Rodney G. Bryson	Dr. S. D. Laughlin	R. Lee Stewart
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
W. T. Carner	Joseph Lazarus	John T. E. Stites
J. F. Carr	R. C. Marcum	Frank L. Strange
A. S. Cooper	I. S. Mason	T. R. Stults
P. A. Day	A. J. McCandless	J. Mack Thompson
H. N. Dean	Homer C. McLellen	C. B. Truesdell
J. B. Denues	Harry J. Meyers	John L. Trumbo
J. M. Foster	Mack J. Morgan	J. Wood Vance
Dr. T. H. Gamblin	John T. Murphy	Daniel Vose
A. L. Hamilton	T. C. Pryse	A. M. Wash
A. F. Hanberry	S. C. Ray	J. S. Webb
E. C. Hardin	B. F. Reynolds	Gladstone Wesley
Dr. W. L. Haynes	J. L. Richardson	W. N. Winn
A. R. Hudson	Sherman Robbins	Dr. W. S. Yazell
Adam W. Huff	B. A. Roth	
J. W. Johnson	Dr. Lewis Ryans	

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Those who voted in the negative were—

Robt. Humphreys	T. P. Oliver	John B. Thomas
Chas. A. Nelson		

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Mr. Smith moved that the Senate amendment to the title be concurred in.

Said amendment to the title is as follows:

Amend House Bill 25 in Senate by striking therefrom all of the title and inserting in lieu thereof the following: "An Act to amend Section 1730 of Carroll's Kentucky Statutes, providing for the keeping and dieting prisoners in jails of all counties of this Commonwealth."

Said amendment to the title was concurred in.

Resolved, that the title of said bill be as amended as aforesaid.

Mr. Smith moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The action of the House in concurring in the Senate amendments to said bill was certified to the Senate by the chief clerk.

Ordered, that said bill be enrolled.

Mr. Smith, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 369. An Act providing for the manner of the making of all annual and biennial reports of the various departments, commissions and agencies of the State Government, as now required by law, giving to the State Printing Commissioners power to determine what reports and what portions thereof shall be printed and distributed at public expense.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all annual and biennial reports now required by law to be made by the various departments, agencies and commissions of the State Government shall be filed by such departments, agencies and commissions with the Governor, and a copy thereof in the office of the Secretary of State, which shall be preserved as a public record.

§ 2. The State Printing Commissioners shall determine what parts of said reports, if any, and how many of same shall be printed and distributed at public expense; but in no event shall the number authorized to be printed and distributed at public expense exceed the number now authorized by law to be so printed and distributed.

§ 3. Nothing herein shall be construed to in any wise change the law now in force relative to the printing and distribution of the reports of the opinions of the Court of Appeals of Kentucky.

§ 4. All laws and parts of laws in conflict with this Act are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	W. L. Kimbrough	Dr. B. F. Shields
L. H. Ballard	J. M. Knott	H. G. Skiles
H. H. Barnes	Dr. S. D. Laughlin	S. G. Smith
J. M. Billiter	Hebron Lawrence	H. A. Spillman
Rodney G. Bryson	Joseph Lazarus	R. Lee Stewart
Roy J. Cain	Elmer Lusby	Wm. A. Stewart
W. T. Carner	R. C. Marcum	John T. E. Stites
J. F. Carr	I. S. Mason	Frank L. Strange
T. L. Caudel	A. J. McCandless	T. R. Stults
Charles M. Ciarlo	R. L. McFerron	J. Mack Thompson
A. S. Cooper	Homer C. McLellen	Dr. D. J. Travis
P. A. Day	Harry J. Meyers	John L. Trumbo
H. N. Dean	Mack J. Morgan	J. Wood Vance
J. B. Denues	John T. Murphy	Fred C. VanHoose
J. M. Foster	Estill W. Neel	Daniel Vose
Dr. T. H. Gamblin	T. C. Pryse	A. M. Wash
J. W. Geveden	S. C. Ray	J. S. Webb
A. F. Hanberry	J. L. Richardson	Dr. T. R. Welch
E. C. Hardin	Sherman Robbins	Gladstone Wesley
Adam W. Huff	Lee Rogers	W. G. Wheeler
Robt. Humphreys	B. A. Roth	W. N. Winn
J. W. Johnson	Dr. Lewis Ryans	Dr. W. S. Yazel
Henry Kaufman	Chas. R. Scott	
Frank Kennard	E. E. Shannon	

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Those who voted in the negative were—

H. C. Duffy	B. F. Reynolds	W. P. Scott
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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, moved that the House take up for immediate consideration the Senate amendment to the title to House Bill No. 142.

Said motion was agreed to.

Said amendment to the title is as follows:

Amend the title to House Bill 142 by striking out the words "appropriate money" and insert in lieu thereof the following, "enable the Board of Sinking Fund Commissioners," so that said title shall read as follows, viz.: "An Act to enable the Board of Sinking Fund Commissioners to purchase ground to straighten the State line and beautify the approach to the Capitol."

Said amendment was concurred in.

Resolved, that the title to House Bill No. 142 be as amended.

Ordered, that said bill be enrolled.

The action of the House in concurring in the Senate amendment to the title of said bill was certified to the Senate.

Mr. Smith, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 361. An Act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. A trust or monopoly as used in this Act, unless a contrary intention appears, is an association or combination of any number of persons established or organized prior, or subsequent, to the passage of this Act, and either in the State of Kentucky or elsewhere, and whether incorporated or unincorporated, having as its object, or as one of its objects, that of fixing, influencing or regulating the supply, demand or price of any goods, product or commodity in the State of Kentucky, or elsewhere; or that of creating, or maintaining, a monopoly in Kentucky, or elsewhere, whether complete or partial, in the supply or demand of any goods, product or commodity.

§ 2. The word "person" or "persons," as used in this Act, shall include natural persons, partnerships, associations of persons and corporations created, or organized, by, or under, the laws of this State, or under the laws of any other State or country.

§ 3. Any person who shall create, enter into, become a member of, or participate in, any pool, trust, agreement, combination, confederation or understanding with any person or persons in restraint of trade or competition in the importation, transportation, manufacture, purchase or sale of any goods, product or commodity in this State, shall be deemed guilty of a conspiracy in restraint of trade.

§ 4. Any person who shall create, enter into, become a member of, or participate in, any pool, trust, agreement, combination, confederation or understanding with any other person or persons to regulate, control or fix the price of any article of manufacture, mechanism, or part thereof, merchandise or commodity, or to maintain such price when so regulated or fixed, or shall enter into, become a member of, or participate in, any pool, trust, agreement, contract, combination, confederation or understanding to fix or limit the amount of

any article of manufacture, mechanism, or part thereof, merchandise, commodity, shall be deemed guilty of a conspiracy in restraint of trade.

§ 5. Any two or more persons engaged in buying or selling any article of commerce, manufacture, mechanism, or part thereof or other commodity, or who shall create, enter into, become a member of, or participate in, any pool, trust, agreement, combination, confederacy, association or understanding to control or limit the trade in any such article or thing or to limit the trade in any such article or thing, or to limit competition in such trade by refusing to buy from, or sell to, any other person any such article or thing aforesaid, for the reason that such other person is not a member of, or a party to, such pool, trust, combination, confederacy, association or understanding, or who shall boycott, or threaten, any person for buying or selling any such article or thing to any other person who is not a member of, or a party to, such pool, trust, agreement, combination, confederacy, association or understanding, shall be deemed guilty of a conspiracy in restraint of trade.

§ 6. All arrangements, understandings, agreements, contracts, combinations or promises made, or entered into, between any two or more persons, designated, or made, with a view to lessen, or which tend to lessen, lawful trade, or full and free competition in the importation, transportation, manufacture or sale in this State of any goods, product, commodity or article; and all arrangements, contracts, agreements, combinations, promises, or understandings made, or entered into, between any two or more persons, which are designated, or made, with a view to increase, or which tend to increase, the market price of any product, commodity, goods, or article, are hereby declared to be against public policy, unlawful and void, and any person or persons creating, entering into, becoming a member of, or party to, any such arrangements, contracts, promises, agreements, combinations or understand-

ings, shall be deemed guilty of a conspiracy in restraint of trade.

§ 7. Any corporation created or organized by or under the laws of this State which shall be guilty of any violation of the provisions of this Act shall, upon proper proof being made thereof, in any court of competent jurisdiction in this State, be declared by the court to have forfeited its corporate rights and franchises, and the same shall be, by the court, declared forfeited, void and of no effect, and its right to transact business in this State shall thereupon cease and determine: Provided, however, that the courts may, in lieu of the forfeiture of its corporate rights and franchises, assess against it a fine in any sum not to exceed twenty-five thousand dollars, and, should a corporation continue to violate the law after having been adjudged guilty, such continuance shall constitute a separate offense; and any corporation created or organized by or under the laws of any other State or country which shall violate any of the provisions of this article shall, upon proper proof being made thereof in any court of competent jurisdiction of this State, be declared by the court to have forfeited its right and privilege thereafter to do any business in this State, and the same shall by the court be declared forfeited and of no effect, and it shall thereupon cease to do business in this State: Provided, however, that the court may, in lieu of the forfeiture of the right and privilege of such corporation to do business in this State, assess against it a fine in any sum not to exceed twenty-five thousand dollars, and, should such corporation continue to violate the law after having been convicted, such continuance shall be deemed a separate offense, and in all proceedings for the violation of any of the provisions of this article against any corporation created by or organized under the laws of this or any other State or country proof of the acts of any person who has been acting as agent of such corporation in transacting its business in this State in the name, behalf or interest of such corporation, shall be received as prima facie proof

of the acts of the corporation itself. It shall be the duty of the clerk of the court in which judgment of forfeiture shall be rendered, as herein provided for, to certify the decree thereof to the Secretary of State and to the Insurance Commissioner, who shall take notice and be governed thereby as to the corporate powers and rights of said corporation.

§ 8. Any person injured in his business, or property, by any other person or persons by reason of any acts forbidden, or declared to be unlawful by the provisions of this Act, may institute suit therefor in any circuit court in this State in which the defendant or defendants, or any of them, reside, or have any officer, agent or representative, or in which any such defendant or any agent, officer or representative may be found, without regard to the amount in controversy, and may recover threefold the damages by him sustained.

§ 9. It shall be unlawful for any corporation to issue, or to own, trust certificates, or for any corporation agent, officer, or employe, or the directors, or stockholders of any corporation, to enter into any combination, contract or agreement with any person or persons, corporation or corporations, or with any stockholder or director thereof, for the purpose of placing the management or control of such corporation, or of any article manufactured, produced or dealt in by such corporation, in the hands of any trustee or trustees, with the intention to limit, or fix the price, or lessen the production or sale of any article of commerce, use or consumption, or to prevent, restrict or diminish the manufacture or output of any such article, or product, and no corporation nor officer or stockholder of any corporation, shall own or vote any stock of any other corporation engaged in the manufacture, purchase or sale of any article of commerce coming in competition with any article of commerce manufactured, bought or sold by such other corporation.

§ 10. When the corporate rights or privileges of any corporation organized under the laws of this State shall have been declared forfeited by the judgment of a court as herein

provided, and when the rights and privileges of any corporation organized under the laws of any other State or country to do business in this State, have been declared forfeited by the judgment of a court as herein provided, it shall thereafter be unlawful for any person, corporation or association of persons to deal in, or offer for sale in this State, any article of manufacture, mechanism or part thereof, or merchandise, commodity, made, produced, manufactured or dealt in, by any corporation whose rights, franchises or privileges have been so forfeited; and the foregoing provisions of this section are hereby made applicable in all respects to the successors, or assigns, of any corporation whose rights, franchises or privileges have been so forfeited.

§ 11. In any suit that is now pending, or which may hereafter be brought, in which it is charged that any person, corporation, partnership or association of persons has created, entered into, become a member of, or participated in, any pool, trust, agreement, combination, confederation, promise or understanding in restraint of trade or competition, with any other person, corporation, partnership or association of persons, it shall not be necessary to allege or plead the manner in which or when, or where, such pool, trust, agreement, combination, confederation or understanding was made or effected.

§ 12. All courts of competent jurisdiction shall have the right and are hereby authorized and empowered to compel the production of all books, correspondence, or other papers, showing, or tending to show any violation of this Act, or containing evidence material to the matter under investigation, and such courts are hereby empowered to punish for contempt any officer, agent, employe, custodian or person in the possession of such books, correspondence or papers; but no person shall be subject to prosecution, or to any action for a penalty, or a forfeiture on account of any transaction, matter or thing concerning which he may testify or produce books or papers.

§ 13. Any person, firm, company, association or corporation, foreign or domestic, doing business in the State of Kentucky, and engaged in the production, manufacture or distribution of any commodity in general use, that shall, intentionally, for the purpose of destroying the business of a competitor in any locality, discriminate between different sections, communities or cities of this State, by selling such commodity at a lower rate in one section, community or city than is charged for said commodity by said party in another section, community or city, after making due allowance for the difference, if any, in the grade or quality, and in the actual cost of transportation from the point of production, if a raw product, or from the point of manufacture, of a manufactured product, shall be deemed guilty of unfair discrimination, which is hereby prohibited and declared unlawful.

§ 14. If complaint shall be made to the Attorney General of the State that any corporation, company or association authorized to do business in this State, is guilty of unfair discrimination as defined in the preceding section, it shall be the duty of the Attorney General, if the facts justify in his judgment, to institute proceedings against such corporation to have its right or privilege to do business in this State forfeited.

§ 15. Any person violating any of the provisions in this Act, or who shall do any Act prohibited or declared unlawful herein, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not to exceed ten thousand dollars, except where a different penalty is provided in this Act, or the penalty herein prescribed may be recovered by penal action instituted in the name of the Commonwealth of Kentucky in any court having jurisdiction under the provisions of this Act.

§ 16. Any prosecution, or penal action provided for in this Act, or under the laws of this State for offenses mentioned in this Act, may be instituted in the Franklin Circuit Court, and jurisdiction to try all such prosecutions, or actions,

is hereby vested in the Franklin Circuit Court, and it is hereby made the duty of the Attorney General to institute such prosecutions, or penal actions, in said court and prosecute same for the Commonwealth of Kentucky, but the jurisdiction thus placed in the Franklin Circuit Court shall not be exclusive, and any such prosecution, or action, may be instituted in any circuit court in this State where the offense or violation of this Act may have been committed, and if such prosecution is instituted in any circuit court other than the Franklin Circuit Court it shall be the duty of the Commonwealth's attorney to prosecute such offenses in the same manner that he is now required to prosecute other offenses for the violation of the laws of this State.

§ 17. The several circuit courts of this State are hereby invested with the jurisdiction to prevent and restrain any person or persons, corporation, partnership or association of individuals, from entering into any combination, pool, agreement, in the form of trusts, confederation, conspiracy, promise or understanding, declared illegal by this Act, or any other law in this State relative to the pools, trusts, conspiracies, and unlawful combinations, and it shall be the duty of the Attorney General, and the Commonwealth's attorneys to institute proceedings in equity to prevent and restrain all violations of this Act, and of any other law concerning pools, trusts, conspiracies, and unlawful combinations, and the Franklin Circuit Court is hereby invested with the jurisdiction to hear and determine any injunction proceeding that may be instituted pursuant to the provisions of this section, and such injunction proceeding shall be governed by the provisions of the Civil Code of Practice, and the court may, at any time, make such temporary restraining order as may be deemed just in the premises; Provided, however, that in all injunction proceedings instituted under this Act by the Attorney General, or by the Commonwealth's attorney, no bond shall be required to be executed by the Commonwealth.

§ 18. It is hereby made the duty of the Attorney General to investigate violations of this Act, and to bring to the attention of the Commonwealth's attorneys throughout the State any violation of this Act, and it is further made the duty of the Attorney General, when he deems it of sufficient importance to institute suit in behalf of the Commonwealth in the Franklin Circuit Court, or to institute prosecutions to prevent the violation of the provisions of this Act.

§ 19. The passage of this Act shall not have the effect to release or extinguish any penalty, forfeiture or liability incurred by any corporation on account of the violation of any law of this State prior to the taking effect of this Act.

§ 20. If any section of this Act shall be held to be unconstitutional, that fact shall not affect any other section of the Act, it being the intention of the General Assembly in enacting this law, to enact each section separately; and if any provision or exception contained in any section shall be declared unconstitutional, that fact shall not affect the remaining portion of said section, it being the intention of the Legislature to enact each section and each provision and exception thereto separately.

§ 21. Any officer, stockholder or other person interested in any corporation, association, or company mentioned in this Act who shall aid or assist in the violation of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not to exceed ten thousand dollars or imprisoned not exceeding one year, or both so fined and imprisoned.

§ 22. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Mr. Minor offered the following amendment:

Substitute for Senate Bill 361.

An Act giving courts of competent jurisdiction right and power to compel production of all books, correspondence and other papers tending to show violation of anti-trust laws of Kentucky, and adding section to Chapter 101, Acts, May 20, 1890, of Carroll's Kentucky Statutes, 1915 Edition.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

All courts of competent jurisdiction shall have the right and are hereby authorized and empowered to compel the production of all books, correspondence or other papers showing or tending to show any violation of Chapter 101, Acts of May 20, 1890, Carroll's Kentucky Statutes, or containing evidence material to the matter under investigation, and such courts are hereby empowered to punish for contempt any officer, agent, employe, custodian or person in the possession of such books, correspondence or papers; but no person shall be subject to prosecution or to any action for a penalty, or a forfeiture on account of any transaction, matter or thing concerning which he may voluntarily testify or produce books or papers.

Said amendment by way of substitute was disagreed to.

Mr. Minor then offered the following amendment:

Amend Senate Bill 361 by striking out all of Section 4 thereof.

Said amendment was disagreed to.

Mr. Murphy moved the previous question.

The Speaker stated "Shall the main question be now ordered?"

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Dr. S. D. Laughlin	S. G. Smith
J. M. Billiter	Hebron Lawrence	R. Lee Stewart
Rodney G. Bryson	Joseph Lazarus	Wm. A. Stewart
Roy J. Cain	Elmer Lusby	T. R. Stults
W. T. Carner	R. C. Marcum	J. Mack Thompson
J. F. Carr	I. S. Mason	C. B. Truesdell
Charles M. Ciarlo	A. J. McCandless	John L. Trumbo
A. S. Cooper	Homer C. McLellen	J. Wood Vance
P. A. Day	Claude D. Minor	Fred C. VanHoose
H. N. Dean	Mack J. Morgan	Daniel Vose
J. B. Denues	John T. Murphy	A. M. Wash
J. M. Foster	Estill W. Neel	J. S. Webb
Dr. T. H. Gamblin	Chas. A. Nelson	Dr. T. R. Welch
A. L. Hamilton	T. P. Oliver	Gladstone Wesley
A. F. Hanberry	T. C. Pryse	R. E. Wilborn
A. R. Hudson	S. C. Ray	V. M. Williamson
Adam W. Huff	J. L. Richardson	W. N. Winn
R. O. Huntsman	B. A. Roth	Dr. W. S. Yazell
Henry Kaufman	Dr. Lewis Ryans	
W. L. Kimbrough	E. E. Shannon	

Those who voted in the negative were—

J. S. Cruse	Frank Kennard	John T. E. Stites
H. C. Duffy	J. M. Knott	Frank L. Strange
J. W. Geveden	B. F. Reynolds	J. H. Thompson
Dr. W. L. Haynes	Sherman Robbins	Dr. D. J. Travis
Robt. Humphreys	Chas. R. Scott	W. G. Wheeler
J. W. Johnson	W. P. Scott	
Griffin Kelly	H. G. Skiles	

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following bills and resolution passed by the House were sent to the Senate:

Senate Bills Nos. 324, 373, 362, 369 and 361.

Senate Resolution No. 30.

A message was received from the Senate announcing that it had passed House Bills Nos. 520 and 523.

Ordered, that said bills be enrolled.

Mr. Vance offered the following joint resolution:

Whereas, it has been publicly charged that the "tobacco trust" is now violating the injunction issued against it by the Federal Court of New York in 1912, and that competition in the buying of tobacco in the State of Kentucky has been destroyed and eliminated by reason of illegal combinations and agreements in restraint of trade, and

Whereas, It appears that a great number of the tobacco planters of the State are now being forced to sell their tobacco at prices below the cost of production, and

Whereas, By reason of the vast numbers of people engaged in this industry in this State, this condition is bringing about great financial distress and loss to substantial portion of the citizenship of this State, and

Whereas, It is desirable that the condition of the tobacco market in this State be investigated, and that it be ascertained whether or not there is a combination or pool of the tobacco buyers of this State for the purpose of destroying competition in the tobacco market;

Now, Therefore, be it resolved:

First. That the Governor of this State be authorized and directed to appoint a commission of five members, two of whom shall be appointed from the membership of the House of Representatives and two from the membership of the Senate of the Commonwealth of Kentucky, one member appointed from each House to be a Democrat and one member to be appointed from each House to be a Republican, the fifth member to be appointed from persons other than members of the General Assembly, for the purpose of investigating and reporting to the Governor the conditions of the tobacco market in the State of Kentucky, and such facts as they may find tending to establish whether or not there exists in Kentucky a combination or pool of the buyers of this State for the purpose of preventing and limiting competition in the buying of tobacco.

The commission shall have power to employ stenographic labor and the power to summon and swear witnesses and require the production of books, records and correspondencē, and also shall have power to summon any agent of any tobacco corporation, employe or agent, touching the matters under investigation, and they shall make a report of their

findings together with a record of the testimony taken to the Governor of this Commonwealth.

The necessary expenses of said commission or its members in the actual performance of their duties as herein provided for shall be paid by the Commonwealth, on the filing of sworn statements of same with the Governor, who is authorized to order their payment by the State Auditor when approved by the Governor, but in no event shall the total of said expenses exceed \$5,000.00.

The yeas and nays being taken on the passage of said resolution resulted as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	W. L. Kimbrough	Dr. B. F. Shields
J. M. Billiter	Dr. S. D. Laughlin	H. G. Skiles
Rodney G. Bryson	Hebron Lawrence	S. G. Smith
Roy J. Cain	Joseph Lazarus	R. Lee Stewart
W. T. Carner	I. S. Mason	Wm. A. Stewart
J. F. Carr	A. J. McCandless	John T. E. Stites
Charles M. Ciarlo	R. L. McFerron	Frank L. Strange
A. S. Cooper	Claude D. Minor	T. R. Stults
P. A. Day	Mack J. Morgan	John B. Thomas
H. N. Dean	John T. Murphy	J. Mack Thompson
J. B. Denues	Estill W. Neel	Dr. D. J. Travis
J. M. Foster	T. P. Oliver	John L. Trumbo
Dr. T. H. Gamblin	T. C. Pryse	J. Wood Vance
A. L. Hamilton	S. C. Ray	Fred C. VanHoose
A. F. Hanberry	B. F. Reynolds	Daniel Vose
E. C. Hardin	J. L. Richardson	A. M. Wash
A. R. Hudson	Sherman Robbins	J. S. Webb
Adam W. Huff	B. A. Roth	Dr. T. R. Welch
Robt. Humphreys	Dr. Lewis Ryans	Gladstone Wesley
R. O. Huntsman	Chas. R. Scott	R. E. Wilborn
Henry Kaufman	W. P. Scott	Dr. W. S. Yazell

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There voted in the negative—

Frank Kennard

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So said resolution was adopted.

Mr. Smith moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then said resolution was sent to the Senate.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 155. An Act to repeal, amend and reenact Section 1847, Kentucky Statutes, Carroll's Edition, 1915, relating to commissioners to constitute Fiscal Courts, and providing for special election therefor.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1847, Kentucky Statutes, Carroll's 1915 Edition, be and it is hereby repealed, amended and reenacted, so that the same when so repealed, amended and reenacted shall read as follows:

“But any county in the Commonwealth of Kentucky so desiring it may have three commissioners, to be elected from the county at large, who, together with the judge of the county court, shall constitute the fiscal court of said county. To ascertain whether a county desires a fiscal court composed of three commissioners and a county judge, the county judge of said county upon an application by written petition signed

by one hundred legal voters of said county is hereby authorized to call an election, and it shall be his duty to call an election to submit to the legal voters of said county the question: 'Are you for or against having a fiscal court composed of three commissioners and the county judge of the county court?' "

Upon such petition being filed with the judge of the county it shall be the duty of the judge of the county court in such county at the next regular term thereof after receiving said petition to make an order on his order book directing an election to be held in said county to be affected thereby, on some day named in said petition not earlier than sixty days after said application is lodged with the judge of the said court, which order shall direct the sheriff of the county, or officer of the said county who may be appointed to hold said election, to open the polls at each and all of the voting precincts in said county for the purpose of taking the sense of the legal voters of such county, who are qualified to vote at elections for county officers, upon the proposition whether said county shall have a fiscal court composed of three commissioners from the county at large with the county judge. It shall be the duty of the county clerk of the county affected to give to the sheriff or the officer appointed as aforesaid to hold said election certified copy of said order as it appears on the order book, within five days after said order is made; and it shall be the duty of the sheriff or other officer aforesaid to have said order published in some weekly or daily newspaper published in the English language in said county for at least two consecutive weeks before the election, and also to advertise the same by printed handbills posted at some conspicuous place or places in each precinct in the county, for the same length of time, when the election will be held for the county, and the purpose thereof. All elections hereby provided for shall be held by such officers as would be qualified to hold elections for county officers, and they shall be selected in the same way, and all elections herein provided for shall be held in accordance with the provisions of the general election laws

of the State, and the returns made, certified and examined and certified as other elections under the general election laws of the State, except that they shall not be held on the same day with any regular political election, nor within thirty days next preceding or following any regular political election.

If a majority of the legal votes cast at said election are in favor of the fiscal court of said county being composed of three commissioners to be elected from the county at large and the judge of the county court, it shall be the duty of the county judge before the next regular election for county officers to divide the county into three districts as nearly equal in population as practicable and possible, and at said election there shall be elected in said county by the qualified voters thereof, and every four years thereafter, three commissioners, one from each district who with the judge of the county court shall constitute the fiscal court of the county until otherwise changed by law. The election herein provided for shall not be held in any county oftener than once in four years."

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Hebron Lawrence	R. Lee Stewart
L. H. Ballard	Joseph Lazarus	Wm. A. Stewart
H. H. Barnes	R. C. Marcum	John T. E. Stites
Rodney G. Bryson	I. S. Mason	Frank L. Strange
Roy J. Cain	A. J. McCandless	T. R. Stults
W. T. Carner	R. L. McFerron	John B. Thomas
J. F. Carr	Homer C. McLellen	J. Mack Thompson
T. L. Caudel	Harry J. Meyers	J. H. Thompson
A. S. Cooper	Claude D. Minor	Dr. D. J. Travis
P. A. Day	Mack J. Morgan	C. B. Truesdell
J. B. Denues	John T. Murphy	John L. Trumbo
A. L. Hamilton	T. P. Oliver	Fred C. VanHoose
A. F. Hanberry	T. C. Pryse	A. M. Wash
E. C. Hardin	S. C. Ray	J. S. Webb
A. R. Hudson	J. L. Richardson	Dr. T. R. Welch
Adam W. Huff	Sherman Robbins	Gladstone Wesley
Robt. Humphreys	Dr. Lewis Ryans	W. G. Wheeler
Henry Kaufman	Chas. R. Scott	R. E. Wilborn
W. L. Kimbrough	Dr. B. F. Shields	V. M. Williamson
J. M. Knott	H. G. Skiles	W. N. Winn
Dr. S. D. Laughlin	S. G. Smith	Dr. W. S. Yazell

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There voted in the negative—

Elmer Lusby

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Resolved, that the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was sent to the Senate by Mr. Hudson.

A message was received from the Senate announcing that it had passed House Bill No. 119 with certain amendments thereto.

Mr. Lazarus moved that the House do concur in said amendments.

Said amendments are as follows:

(1) Amend House Bill 119, line 5, page 2, by inserting the words "or commissioners" between the words "mayor" and "at;" by prefixing the words "all or any of" before the word "the" in line 1, Section 6, by striking all words in parenthesis "(except that a commissioner may make an arrest in case of an emergency)" and the word "shall" in line 2, and by prefixing the words "may by ordinance" at the beginning of line 3, by striking the words "authorities and" from line 3, Section 6, and inserting the words "officials acting;" and by striking the words "such" and "as" from line 3, Section 6, and by changing the word "govern" in line 3, Section 6, to the word "governing."

Said amendment was concurred in.

(2) Amend Section 10, line 3, by striking the word "filed" and inserting in lieu thereof the word "approved."

Said amendment was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill as amended in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Joseph Lazarus	H. G. Skiles
L. H. Ballard	R. C. Marcum	S. G. Smith
H. H. Barnes	I. S. Mason	R. Lee Stewart
Roy J. Cain	A. J. McCandless	Wm. A. Stewart
J. F. Carr	R. L. McFerron	John T. E. Stites
T. L. Caudel	Homer C. McLellen	Frank L. Strange
A. S. Cooper	Harry J. Meyers	T. R. Stults
P. A. Day	Claude D. Minor	John B. Thomas
J. B. Denues	Mack J. Morgan	J. Mack Thompson
J. W. Geveden	John T. Murphy	J. H. Thompson
A. L. Hamilton	Estill W. Neel	Dr. D. J. Travis
A. F. Hanberry	T. P. Oliver	John L. Trumbo
E. C. Hardin	T. C. Pryse	Fred C. VanHoose
A. R. Hudson	S. C. Ray	Daniel Vose
Adam W. Huff	B. F. Reynolds	A. M. Wash
Robt. Humphreys	J. L. Richardson	J. S. Webb
Henry Kaufman	Sherman Robbins	Gladstone Wesley
Griffin Kelly	Lee Rogers	W. G. Wheeler
Frank Kennard	B. A. Roth	R. E. Wilborn
W. L. Kimbrough	Dr. Lewis Ryans	V. M. Williamson
J. M. Knott	Chas. R. Scott	W. N. Winn
Hebron Lawrence	Dr. B. F. Shields	Dr. W. S. Yazell

Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The action of the House in concurring in said Senate amendments was certified by the Chief Clerk and sent to the Senate by Mr. Hudson.

Ordered, that said bill be enrolled.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day a bill entitled:

Senate Bill No. 132. An Act to amend an Act entitled, "An Act to amend an Act entitled 'An Act for the government of cities of the second class in the Commonwealth of Kentucky,' which was approved March 19, 1894, and thereafter in due course become a law, and as same, has since been amended, all of which said Act and amendments now appear as Article 3, of Chapter 89, of the Kentucky Statutes, in John D. Carroll's Edition thereof in 1909," which was approved on March 21, 1910, and thereafterwards became a law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an Act entitled "An Act to amend an Act entitled 'An Act for the government of cities of the second class in the Commonwealth of Kentucky,' which was approved March 19, 1894, and thereafter in due course became a law, and as same, has since been amended, all of which said Act and amendments now appear as Article 3, of Chapter 89, of the Kentucky Statutes, in John D. Carroll's Edition there-

of in 1909," which was approved on March 21, 1910, and thereafter became a law, be amended by adding to the 29th section of said Act the following:

"Provided that the commissioners then or theretofore elected shall continue in office and administer the government of such city until the expiration of the terms for which they were elected; and, provided further, that elections under this section shall not be held at the same time commissioners are elected."

So that said section when amended will read as follows:

"Section 29. Whenever the citizens of any city, which shall have been organized and governed under the provisions of this Act for a period of not less than four years, shall desire that the organization and government of such under the provisions of this Act shall terminate and cease and said citizens shall file with the county judge of the county in which is located said city, written petitions signed by a number of the legal voters of said city equal to thirty-three and one-third per centum of the votes cast in said city at the last preceding general election, it shall be the duty of the county judge of said county to receive said petition and at the next regular term thereafter to make an order on his order book, directing an election to be held in said city at the next regular election and not earlier than 60 days after said application is lodged with said judge, which order shall direct the sheriff or other officers of said county who may be appointed to hold said election, to open the polls at each and all the voting places in said city for the purpose of taking the sense of the qualified voters of said city upon the question as to whether or not the citizens of said city are in favor of the abandonment of the organization and government of said city under the provisions of this Act. The question to be submitted to the voters, shall be: 'Shall the city of.....(naming said city) abandon its organization and government under the provisions

of an Act to amend an Act entitled, "An Act for the government of cities of the second class in the Commonwealth of Kentucky," approved March 19, 1894, and thereafter in due course became a law and as same has since been amended, all of which said Act and amendments now appear as Article 3, Chapter 89 of the Kentucky Statutes in John D. Carroll's Edition thereof of 1909, adopted by the General Assembly of Kentucky at the 1910 session thereof.' It shall be the duty of the county clerk to give to the sheriff of the county or to such other officer as may be appointed to hold said election, a certified copy of the order of the county court as it appears on the order book, within five days after such order is made and it shall be the duty of said sheriff or other such officer, to have such order published in some weekly or daily newspaper, published or circulated in said county, for at least two weeks before the election, and also to advertise the same by printed or written hand bills posted in conspicuous places in said city, for the same length of time. If there is no weekly or daily newspaper published in said city, or the proprietor of such paper refuses to publish said notice, the printed or written hand bills provided for shall be sufficient notice. The sheriff or other such officers shall have the advertisements and notices herein provided for, posted as herein required, within seven days after he receives the orders of the county court. It shall be the duty of the canvassing board to certify the result of said election to the county court, which certificate shall be delivered to the clerk of the city, and at the next regular term of said court the county judge shall cause the same to be spread upon the order book of said court and the entry of said certificate on the order book, or copy thereof shall be prima facie evidence of the facts therein contained. When a majority of the votes cast shall be in favor of said proposition to be submitted, and said facts shall be certified to as hereinbefore provided, by the said canvassing board to the county clerk and a copy of which shall be certified to the city.

clerk and said copy of said certificate shall be spread upon the records of said county, as herein provided, and upon the records of said city at the next regular meeting of the city council, thereupon said city shall cease to be governed by the provisions of this Act, but thereafter shall be governed by the provisions of Chapter 89 of said statutes, independent of the provisions of this Act. Provided that the commissioners then or theretofore elected shall continue in office and administer the government of such city until the expiration of the terms for which they were elected; and, provided further, that elections under this section shall not be held at the same time commissioners are elected.

Mr. Stites offered the following amendment:

Amend Senate Bill No. 132, in House, by inserting after the period in line 13, page 2, and again after the period in line 75, page 4, the following words: "Provided, that this amendment shall not apply to the present terms of office of the present commissioners."

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Hebron Lawrence	R. Lee Stewart
L. H. Ballard	Joseph Lazarus	Wm. A. Stewart
H. H. Barnes	R. C. Marcum	T. R. Stults
J. F. Carr	Harry J. Meyers	John B. Thomas
Charles M. Ciarlo	Claude D. Minor	J. H. Thompson
A. S. Cooper	John T. Murphy	C. B. Truesdell
Dr. T. H. Gamblin	Estill W. Neel	John L. Trumbo
A. L. Hamilton	T. P. Oliver	J. Wood Vance
A. F. Hanberry	T. C. Pryse	Daniel Vose
E. C. Hardin	B. F. Reynolds	J. S. Webb
Dr. W. L. Haynes	J. L. Richardson	Dr. T. R. Welch
A. R. Hudson	Sherman Robbins	Gladstone Wesley
Adam W. Huff	Lee Rogers	W. G. Wheeler
Robt. Humphreys	B. A. Roth	R. E. Wilborn
R. O. Huntsman	Dr. Lewis Ryans	Dr. W. S. Yazell
Henry Kaufman	Chas. R. Scott	
Griffin Kelly	S. G. Smith	

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Those who voted in the negative were—

Rodney G. Bryson	J. M. Knott	John T. E. Stites
J. W. Geveden	A. J. McCandless	Frank L. Strange
Frank Kennard	R. L. McFerron	A. M. Wash
W. L. Kimbrough	H. G. Skiles	V. M. Williamson

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was sent to the Senate by Mr. Hudson.

A message was received from the Senate announcing that it had adopted the Conference report on the differences between the two Houses as to amendments to House Bill No. 323.

Said message is as follows:

IN SENATE, MARCH 16, 1920.

Resolved, That the Senate do adopt the report of the Conference Committee as to amendments proposed by the Senate to House Bill 323.

Resolved further, that it adopt the title to said bill as recommended by said committee.

Attest:

W. B. O'CONNELL,
Chief Clerk of the Senate.

Ordered, that House Bill No. 323 be enrolled.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day a bill entitled:

Senate Bill No. 243. An Act for the protection of game birds and game animals; fixing open and closed seasons for the same; fixing the bag limit for birds and animals killed in open season; prohibiting the snaring of rabbits at any time, and providing penalty for the violation of this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Quail or Bobwhite—When Unlawful to Catch or Kill.—No person shall, between the second day of January and the 14th day of November, both days inclusive, in any

year, catch, kill, injure or pursue with such intent, any quail or bobwhite, or have in possession any quail or bobwhite, or any part of any quail or bobwhite, dead or alive, no matter when or where caught or killed, whether caught or killed in this State or any other State, territory, country or place, except as hereinafter provided in Section 13 of this Act.

§ 2. Doves—When Unlawful to Catch or Kill.—No person shall, between the 16th day of December and the 31st day of August, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any doves, or have in possession any doves or any part of any dove, dead or alive, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country, or place, except as provided in Section 13 of this Act.

§ 3. Woodcock—When Unlawful to Catch or Kill.—No person shall, between the first day of January and the 14th day of November, both days inclusive, in any year, kill, injure or pursue with such intent, any woodcock, or have in possession any woodcock or any part of any woodcock, dead or alive, no matter when or where caught or killed, whether caught or killed in this State, or in any other State, territory, country or place.

§ 4. Squirrels—When Unlawful to Catch or Kill.—No person shall, between the 16th day of December and the 30th day of June, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any squirrel, or have in possession any squirrel, or any part of any squirrel, no matter when or where caught or killed, whether caught or killed in this State or any other State, territory, country or place, except as provided for in Section 13 of this Act.

§ 5. Rabbits.—No person shall, between first day of January and the 14th day of November, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any rabbit; provided, however, anyone may catch rabbits with dogs or in traps, upon their own property for their own use,

but said rabbits or parts thereof, cannot be bartered or traded, or offered or exposed for sale, barter or trade, between the dates above mentioned. Provided, however, that it shall be unlawful to catch or take by means of snares any rabbit at any time.

§ 6. Wild Turkey, Imported Pheasant or Hungarian Partridge—When Unlawful to Catch or Kill.—No person shall catch or kill, or pursue with such intent, or have the same in possession after it has been caught or killed, any wild turkey, imported pheasant or Hungarian partridge, before the 15th day of November, 1924, and on and after November 15th, 1924, no person shall kill more than two wild turkeys during the open season in any one year, nor more than two pheasants or Hungarian partridges, in any one day when it is lawful to kill them.

§ 7. Prohibiting the Sale of Wild Turkey, Imported or Native Pheasant, Hungarian Partridge, Quail or Bobwhite.—No person shall, in this State, at any time, buy, sell, barter, trade or offer or expose for sale, barter or trade, or have in possession for the purpose of selling, bartering or trading any wild turkey, imported or native pheasant, Hungarian partridge, quail, bobwhite, no matter when or where caught or killed, whether caught or killed in this State or in any other State, territory, country or place, except as provided for in Section 13 of this Act.

§ 8. Transportation or Possession Unlawful Except as to Hunters.—It shall be unlawful for any firm, association, corporation, express company, transportation company, or any other common carrier, or any of its officers, servants or agents, or any other person to receive for transportation, of transport, or to carry, or cause to be transported or carried, or have in possession with the intention to transport or carry, or to deliver or offer to deliver for, or secure the transportation or carrying of, within this State or confines thereof, or out of this State, any wild turkey, pheasant, grouse, quail,

partridge, dove, prairie chicken, woodcock, deer, elk, brant, wild goose, or any other wild fowl, or any part of any bird or animal mentioned in this section; Provided,³ however, that it shall not be unlawful for any person, firm, association, corporation or transportation company, or other common carrier, to transport a hunter with his game lawfully killed and possessed by him. Provided, further, that it shall not be unlawful for any person, firm, association, corporation, transportation company, or any other carrier, to transport, carry or ship any of the birds or animals provided for in this section, which have been raised in captivity, or which have been purchased in this State or other States for propagation, when the package containing their bodies or parts thereof, are clearly marked and contain thereon in a conspicuous place a permit from the Kentucky Game and Fish Commission covering their transportation. Provided, further, that no permit shall be issued covering transportation except where birds are to be used for propagation purposes, or where they have been raised in captivity from breeding stock lawfully acquired.

§ 9. That the county courts and magistrates' courts of the respective counties of the State wherein any of the offenses herein enumerated are committed shall have jurisdiction concurrent with the circuit court to try such offenses and assess fines for the same.

§ 10. Game, Song or Insectivorous Birds—Prohibit the Trapping of.—No person shall, at any time, catch, kill or take by means of a net, trap, box or snare, or have in possession after it has been caught, or taken or killed, any game, song or insectivorous birds.

§ 11. Quail or Bobwhite—Bag Limit.—No person shall shoot, kill or have in possession, more than twelve quail or bobwhite in any one day, between the 15th day of November of any year and the first day of January of the succeeding year, both days inclusive; Provided, however, that any

person having hunted two days in succession may have in possession a total of not to exceed twenty-four (24) quail or bobwhite killed by himself during such hunt, and any person having hunted more than two days in succession may have in possession a total of not to exceed twelve (12) quail or bobwhite killed by himself for each day during such hunt.

§ 12. Bag Limit—Doves.—No person shall shoot, kill, or have in possession more than fifteen doves in any one day, between the first day of September and the 16th day of December of any year, both days inclusive: Provided, however, that any person having hunted two days or more in succession may have a total not to exceed fifteen (15) doves killed by himself for each day during such hunt.

§ 13. Domesticated Game Birds and Game Animals—Permit for Holding in Captivity.—That all game birds and game animals reared or bred in captivity, shall be considered domesticated stock and the owners or raisers thereof may keep, sell, ship, transport or otherwise dispose of them, and such stock shall not be affected or covered by the law prohibiting or regulating the killing or disposition of game birds or game animals, when the breeders or owners thereof have a permit for the keeping, selling, shipping, transportation, or otherwise disposing of them. Such permits shall be issued by the Game and Fish Commission upon application and shall be granted where the said birds or animals have been lawfully acquired or raised. Provided that the body or dead parts thereof, of any bird or animal, lawfully reared in captivity, may be sold when such animal or bird or part thereof is marked with a metal tag, said tag to be furnished by the Game and Fish Commission upon application, and no charge shall be made except for actual cost of said tag or tags.

§ 14. Penalty—Any person violating any provision or any section of this Act, shall, upon conviction thereof, be fined not less than fifteen (15) dollars nor more than fifty (50) dollars for each offense.

§ 15. Failure to Pay Fine.—Any person having been found guilty of violating any section or any part of any section of this Act, and fined therefor, shall on failure to pay such fine, be confined in the county jail or workhouse, or placed at labor on any of the public works of the county in which he is convicted and fined, for a length of time not exceeding one day for every one and one-half dollars of said fine.

§ 16. Deer and Elk.—No person shall, in the State of Kentucky, before November 15, 1925, hunt, pursue, chase, catch, kill, injure or molest any deer or elk. Any person violating this section, or any part thereof, shall, upon conviction, be fined not less than fifty (50) dollars nor more than one hundred (100) dollars for each offense, and on failure to pay such fine, shall be confined in the county jail or workhouse, or placed at labor on any of the public works of the county in which he is convicted and fined, for a length of time not exceeding one day for every one and one-half dollars of said fine.

§ 17. Dogs Hunting or Chasing Deer.—Every person who owning, controlling, or having in his possession, any dog or dogs, and uses or knowingly suffers, permits or allows such dog or dogs to run, track, trail, or injure any deer, or elk, at any time, shall, upon conviction be fined not less than fifty dollars nor more than one hundred dollars for each offense, and on failure to pay such fine, shall be confined in the county jail or workhouse, or placed at labor on any of the public works of the county in which he is convicted and fined for a length of time not exceeding one day for every one and one-half dollars of said fine. Any dog or dogs used, attempted to be used for, or found running, chasing, tracking, trailing or injuring any deer or elk, is hereby declared to be a public nuisance, and it shall be lawful for any person to kill such dog or dogs.

§ 18. Waterfowl (Except Wood Duck, Eider Ducks and Swans) Coot, Gallinules, Wilson Snipe or Jack Snipe—When Unlawful to Catch or Kill.—No person shall between January 1st, and September 14th, both days inclusive, in any year, capture, kill, injure or pursue with such intent, any wild duck, wild geese or jacksnipe, or have in possession any wild duck, wild goose or jacksnipe, or any part of any wild duck, wild goose, or jacksnipe dead or alive, no matter when or where caught or killed, whether caught or killed in this State or any other State, territory, country, or place, except as further provided for in this Act.

§ 19. Bag Limit on Certain Migratory Game Birds.—A person may take, in any one day during the open season prescribed in the foregoing sections, not to exceed the following number of migratory game birds:

Ducks (except wood ducks and eider ducks), twenty-five in the aggregate of all kinds.

Geese—Eight in the aggregate of all kinds.

Brant—Eight.

Rails, Coot and Gallinules—Twenty-five in the aggregate of all kinds.

Wilson Snipe or Jacksnipe—Twenty-five.

Woodcock—Six.

Doves—Fifteen.

§ 20. Shipment and Transportation of Certain Migratory Game Birds.—Waterfowl (except wood duck, eider ducks and swans) rails, coot, gallinules, black bellied and golden plovers, greater and lesser yellowlegs, Wilson snipe and jacksnipe, doves and parts thereof, legally taken may be transported in and out of the State where taken during the respective open seasons in this State, and may be imported from other States or countries where lawfully taken; any such game birds, or parts thereof, in transit during the open season may lawfully continue in transit such additional time immediately succeeding such open season necessary to de-

liver the same to their destination, and any package in which migratory game birds, or parts thereof, are transported shall have the name and address of the shipper and consignee, and an accurate statement of the number and kinds of birds contained therein clearly and conspicuously marked on the outside thereof before any such birds shall be transported from any State, territory or district to or through another State, territory or district contrary to the laws of the State, territory or district in which they were taken, and from which they are transported, when such State, territory or district prohibits the possession or transportation thereof.

§ 21. The birds or animals specified in this measure may be taken during the open season with a gun only, not larger than number 10 gauge, fired from the shoulder; they may be taken during the open season from the land and water, from a blind or floating device (other than an airplane, powerboat, sailboat or any boat under sail) with the aid of a dog, and the use of decoys from one-half hour before sunrise until sunset.

§ 22. All Acts in conflict with this Act are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Elmer Lusby	Wm. A. Stewart
Roy J. Cain	R. C. Marcum	Frank L. Strange
J. F. Carr	I. S. Mason	John B. Thomas
A. S. Cooper	R. L. McFerron	J. Mack Thompson
P. A. Day	Harry J. Meyers	J. H. Thompson
J. B. Denues	Claude D. Minor	Dr. D. J. Travis
Dr. T. H. Gamblin	John T. Murphy	C. B. Truesdell
J. W. Geveden	Estill W. Neel	John L. Trumbo
A. L. Hamilton	T. P. Oliver	J. Wood Vance
A. F. Hanberry	S. C. Ray	Fred C. VanHoose
E. C. Hardin	B. F. Reynolds	Daniel Vose
Dr. W. L. Haynes	J. L. Richardson	A. M. Wash
Adam W. Huff	Sherman Robbins	J. S. Webb
Robt. Humphreys	Lee Rogers	Dr. T. R. Welch
Henry Kaufman	Dr. Lewis Ryans	Gladstone Wesley
Griffin Kelly	Chas. R. Scott	W. G. Wheeler
W. L. Kimbrough	Dr. B. F. Shields	V. M. Williamson
J. M. Knott	H. G. Skiles	W. N. Winn
Hebron Lawrence	S. G. Smith	Dr. W. S. Yazell
Joseph Lazarus	R. Lee Stewart	

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Smith, of the Committee on Rules, called up for consideration from the Orders of the Day a bill entitled:

Senate Bill No. 70. An Act to amend and re-enact section twenty-eight hundred and ten (2810), Carroll's Kentucky Statutes, edition of 1915, being section forty-eight (48) of an Act entitled, "An Act for the government of cities of the first class," approved July 1, 1893, as amended by an Act approved Feb. 4th, 1894, and by an Act approved March 15, 1912.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section twenty-eight hundred and ten (2810), Carroll's Kentucky Statutes, edition of 1915, being section forty-eight (48) of an Act entitled, "An Act for the government of cities of the first class," approved July 1st, 1893, as amended by an Act approved Feb. 4th, 1894, and by an Act approved March 15, 1912, by striking from said section the following words:

"Provided, further, that no person employed under the board of public works shall receive a salary in excess of one thousand, five hundred dollars per annum, except the following:

One chief engineer.

One first assistant engineer, whose salary shall not exceed two thousand five hundred dollars per annum.

One assistant engineer whose salary shall not exceed two thousand dollars per annum."

So that said section as amended shall read:

Boards May Appoint and Remove Chiefs of Departments—Cause for Removal.—Each of said boards may appoint and, at pleasure, remove a chief of each department under its control. The board of public works shall have the power to appoint a chief engineer for the city and such subordinate engineers as may be necessary; Provided, that all applicants

for the position of chief engineer shall first be examined by a board of three competent civil engineers, to be elected by the general council, and that no applicant who fails to pass an examination satisfactory to said board of examiners shall be eligible to the office of chief engineer, and no person shall hold the office of chief engineer until he shall have passed said examination. In all cases where the examination is made in writing, all the papers shall be filed of public record with the secretary of the board of public works. The general council shall have the power to fix the compensation of the said boards of examiners. Subordinate officers and employes may be removed or punished by the board on the recommendation of the chief of the department concerned for cause, subject to such regulations as may be prescribed by ordinance or by the board. The cause for the removal of any subordinate as aforesaid must be stated in writing, and be transmitted to the board, and the board may, in its discretion, retain or dismiss such subordinate. No officer or employe shall be removed for political causes. Interference in elections, electioneering or canvassing for any officer or employe of said board shall be cause for instant removal.

Ordered, that said bill be read the third time.

Mr. Smith moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Dr. S. D. Laughlin	T. R. Stults
L. H. Ballard	Hebron Lawrence	W. P. Scott
Rodney G. Bryson	Joseph Lazarus	Dr. B. F. Shields
Roy J. Cain	R. C. Marcum	H. G. Skiles
J. F. Carr	I. S. Mason	S. G. Smith
Charles M. Ciarlo	A. J. McCandless	R. Lee Stewart
A. S. Cooper	R. L. McFerron	Wm. A. Stewart
P. A. Day	Homer C. McLellen	J. Mack Thompson
J. B. Denues	Harry J. Meyers	Dr. D. J. Travis
Dr. T. H. Gamblin	Claude D. Minor	C. B. Truesdell
J. W. Geveden	John T. Murphy	John L. Trumbo
Dr. W. L. Gossett	Estill W. Neel	J. Wood Vance
A. L. Hamilton	T. P. Oliver	Fred C. VanHoose
Adam W. Huff	S. C. Ray	Daniel Vose
Robt. Humphreys	J. L. Richardson	Dr. T. R. Welch
R. O. Huntsman	Sherman Robbins	Gladstone Wesley
Henry Kaufman	Lee Rogers	V. M. Williamson
Griffin Kelly	B. A. Roth	Dr. W. S. Yazell
Frank Kennard	Dr. Lewis Ryans	
W. L. Kimbrough	Chas. R. Scott	

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Resolved, that the title thereof be as aforesaid.

Mr. Smith moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senate Bills Nos. 243 and 70, passed by the House were sent to the Senate by Mr. Hudson.

A message was received from the Senate announcing that it had passed House Bills Nos. 304, 336, 391, 492 and 475.

Ordered, that said bills be enrolled.

Mr. Ray, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

House Bill No. 25, entitled, an Act to amend Section 1730 of the Kentucky Statutes, providing for the keeping and dieting prisoners in jails of counties having therein cities of the first class.

House Bill No. 136, entitled, an Act amending and re-enacting Section 107 of an Act entitled, "An Act providing for the creation and regulation of corporations," being Chapter 171 of the Acts of 1893, which became a law on April 5, 1893, without the signature of the Governor, and which section is now Section 644 of the Kentucky Statutes, Carroll's Edition of 1915.

House Bill No. 149, entitled, an Act to amend and re-enact Section 3956, Chapter 105, Kentucky Statutes, 1909, relating to "Public Printing, Binding and Stationery," which is now Section 3956, Kentucky Statutes, 1915.

House Bill No. 138, entitled, an Act to increase the tax which cities of the first class are authorized to levy for the support of a Municipal University, and for that purpose to amend and re-enact Section 1 of Chapter 52 of the Acts of the General Assembly of 1916, which was approved by the Governor on March 23, 1916, being Paragraph 1 of Section 2948-A of the Kentucky Statutes, Carroll's 1918 edition.

House Bill No. 205, entitled, an Act to regulate, control and fix standard weights of corn meal, grits, hominy and corn flour, and the size of packages containing same; and to provide penalties for the violation of this Act.

House Bill No. 269, entitled, an Act to amend and re-enact Sections 4426A-2, 4448, 4458, Kentucky Statutes, Carroll's Edition, 1918, relating to schools, sub-districts and local taxation.

House Bill No. 309, entitled, an Act providing for the forfeiture of oil and gas leases for non-payment of any rental at the time the same shall become due.

House Bill No. 328, entitled, an Act making it a misdemeanor to graze any kind of live stock on any portion of the grounds surrounding the State Capitol, and owned by the State, and fixing punishment therefor.

House Bill No. 520, entitled, an Act to amend Section 762, Kentucky Statutes, Carroll's Edition, 1918, relating to compensation to attorneys and agents of department and State Treasurer.

House Bill No. 538, entitled, an Act to amend and re-enact Sub-Section 1, 1137 of the Kentucky Statutes, Carroll's Edition, 1915.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Smith moved that the House do now adjourn.

Said motion was agreed to.

Then the House, at 10:20 p. m., adjourned.

WEDNESDAY, MARCH 17, 1920.

The House was called to order at 10 a. m.

The House was opened with prayer by Father O'Dwyer, of the Catholic Church, Frankfort.

The Roll Call to ascertain the presence of a quorum resulted as follows:

Lon Adams	J. S. Cruse	D. J. Howard
Sidney Alfrey	P. A. Day	A. R. Hudson
W. T. Beckham	H. N. Dean	Adam W. Huff
S. M. Bennett	J. B. Dennes	R. O. Huntsman
J. M. Billiter	H. C. Duffy	J. W. Johnson
W. M. Boling	J. M. Foster	Henry Kaufman
Rodney G. Bryson	Dr. T. H. Gamblin	Griffin Kelly
Roy J. Cain	J. W. Geveden	Frank Kennard
W. T. Carner	Dr. W. L. Gossett	W. L. Kimbrough
J. F. Carr	A. F. Hanberry	J. M. Knott
T. L. Candel	E. C. Hardin	Dr. S. D. Laughlin
Charles M. Ciarlo	Dr. W. L. Haynes	Hebron Lawrence
A. S. Coöper	Talbert Holliday	Joseph Lazarus

Rev. J. A. Lee	J. L. Richardson	John B. Thomas
Elmer Lusby	Sherman Robbins	J. H. Thompson
R. C. Marcum	Lee Rogers	Dr. D. J. Travis
I. S. Mason	B. A. Roth	C. B. Truesdell
A. J. McCandless	Dr. Lewis Ryans	John L. Trumbo
R. L. McFerron	Chas. R. Scott	Fred C. VanHoose
Homer C. McLellen	W. P. Scott	Daniel Vose
Harry J. Meyers	E. E. Shannon	Geo. C. Waggoner
Claude D. Minor	Dr. B. F. Shields	A. M. Wash
Mack J. Morgan	H. G. Skiles	J. S. Webb
John T. Murphy	S. G. Smith	Gladstone Wesley
Estill W. Neel	R. Lee Stewart	W. G. Wheeler
Chas. A. Nelson	John T. E. Stites	R. E. Wilborn
T. P. Oliver	Frank L. Strange	Dr. W. S. Yazell
S. C. Ray	T. R. Stults	
B. F. Reynolds	John W. Swope	

Present, 85.

On motion of Mr. Lazarus, the reading of the Journal of Tuesday, March 16, 1920, was dispensed with and the Journal approved.

Leave of absence was granted to Mr. Adams for the rest of the session on account of sickness.

Mr. Meyers moved that the House dispense with all other business and proceed with the consideration of Senate bills.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed House Bill No. 78 with an amendment thereto.

Said amendment is as follows:

Amend House Bill 78, in Senate, by striking from line 12, the following language, to-wit.: "Shall be applied to the

purposes of the Articles of Incorporation of said association," and insert in lieu thereof the following: "Shall be used for the equipment of a hospital to care for the indigent sick of the colored race, to be treated under the supervision and care of their own people, to equip, maintain and conduct, in connection with said hospital, a nurses training school, where girls of the colored race may be trained in practical and professional nursing; to keep and maintain in said hospital not less than five beds for the care and treatment of invalid and sick colored children, whose parents are not able to pay for such treatment, and such children as may be brought from the colored orphan's home, colored reform school, colored blind asylum and colored children's home society, and, in no instance shall any of said sum be paid for officers' salaries, but as indicated to be used for purely charitable purposes, to pay for equipment, maintenance, nurses, matron, food, medicines, and physicians' services, and as provided in charter of the institution."

Said amendment was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	Dr. S. D. Laughlin	Dr. B. F. Shields
W. T. Beckham	Hebron Lawrence	H. G. Skiles
J. M. Billiter	Joseph Lazarus	S. G. Smith
W. M. Boling	Rev. J. A. Lee	Wm. A. Stewart
Roy J. Cain	Elmer Lusby	John T. E. Stites
W. T. Carner	R. C. Marcum	Frank L. Strange
J. F. Carr	I. S. Mason	T. R. Stults
T. L. Caudel	A. J. McCandless	John B. Thomas
Charles M. Ciarlo	Homer C. McLellen	J. Mack Thompson
A. S. Cooper	Harry J. Meyers	J. H. Thompson
P. A. Day,	Claude D. Minor	Dr. D. J. Travis
J. B. Denues	Mack J. Morgan	C. B. Truesdell
J. M. Foster	John T. Murphy	John L. Trumbo
B. J. Goehringer	Estill W. Neel	Fred C. VanHoose
A. F. Hanberry	S. C. Ray	Daniel Vose
Talbert Holliday	B. F. Reynolds	Geo. C. Waggoner
Adam W. Huff	J. L. Richardson	A. M. Wash
Robt. Humphreys	Sherman Robbins	J. S. Webb
R. O. Huntsman	B. A. Roth	Gladstone Wesley
J. W. Johnson	Dr. Lewis Ryans	W. G. Wheeler
Henry Kaufman	Chas. R. Scott	Dr. W. S. Yazell
W. L. Kimbrough	W. P. Scott	
J. M. Knott	E. E. Shannon	

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There voted in the negative—

Frank Kennard

—1

Resolved, that the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The action of the House in concurring in said Senate amendment was certified by the Chief Clerk and sent to the Senate by Mr. Kaufman.

Ordered, that said bill be enrolled.

Mr. Lawrence, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 29. An Act concerning dwelling houses in cities of the first class, and relating to their construction, reconstruction, alteration, maintenance, light and ventilation, sanitation, inspection, protection, safety, control, and regulation, and providing penalties for violation of this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

ARTICLE I.

GENERAL PROVISIONS.

§ 1. Short Title.—This Act shall be known as the Housing Act.

§ 2. Definitions.—Certain words and terms in this Act are defined for the purposes thereof as follows:

(1) Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural the singular; the word “person” includes a corporation as well as a natural person.

(2) (a) A “dwelling” is any house or building or portion thereof which is occupied in whole or in part as the home, residence or sleeping place of one or more human beings, either permanently or transiently. For the purposes of this

Act dwellings are divided into three classes: (a) private dwellings, (b) two family dwellings, (c) multiple dwellings.

(b) A "private dwelling" is a dwelling occupied by but one family alone.

(c) A "two family dwelling" is a dwelling occupied by but two families alone.

(d) A "multiple dwelling" is a dwelling occupied otherwise than as a private dwelling or a two family dwelling.

All multiple dwellings are dwellings, and for the purposes of this Act are divided into two classes, viz.: Class A and Class B.

Class A.—Multiple dwellings of Class A are dwellings which are occupied more or less permanently for residence purposes by several families and in which the rooms are occupied in apartments, suites, or groups. This class includes tenement houses, flats, apartment houses, apartment hotels, bachelor apartments, studio apartments, duplex apartments, kitchenette apartments, and all other dwellings similarly occupied whether specifically enumerated herein or not.

Class B.—Multiple dwellings of Class B are dwellings which are occupied, as a rule, transiently, as the more or less temporary abiding place of individuals who are lodged, with or without meals, and in which, as a rule, the rooms are occupied singly. This class includes hotels, lodging houses, boarding houses, furnished-room houses, lodgings, club houses, convents, asylums, hospitals, jails and all other dwellings similarly occupied whether specifically enumerated herein or not.

(3) A "hotel" is a multiple dwelling of Class B in which persons are lodged for hire and in which there are more than fifty sleeping rooms; a public dining room for the accommodation of at least fifty guests, and a general kitchen.

(4) A "rear yard" is an open, unoccupied space on the same lot with a dwelling, between the extreme rear line of the lot and the extreme rear line of the house. A yard between

the front line of the house and the front line of the lot is a "front yard." A yard between the side line of the house and the side line of the lot and which extends from the front line or front yard to the rear line of the lot or to the rear yard is a "side yard."

(5) A "court" is an open unoccupied space, other than a yard, on the same lot with a dwelling. A court not extending to the street or front or rear or side yard is an inner court. A court extending to the street or a yard is an outer court.

(6) A "shaft" is an open, unoccupied space other than a yard or court and used for ventilation, light, elevator, dumb waiter or any other purpose. For the purposes of this Act, shafts are designated as inner shafts or outer shafts, same as courts.

(7) A "public hall" is a hall, corridor or passageway not within the exclusive control of one tenant or family.

(8) A "stair hall" is a public hall and includes the stairs, stair landings and those portions of the building through which it is necessary to pass in going between any entrance and an apartment floor or the roof.

(9) A "basement" is a story partly underground, but having at least one-half of its height above the curb level, and also one-half of its height above the highest level of the adjoining ground. A basement if not occupied for living purposes by other than the janitor or his family shall not be counted as a story.

(10) A "cellar" is a story having more than one-half of its height below the curb level, or below the highest level of the adjoining ground. A cellar shall not be counted as a story for purposes of height measurement.

(11) An "attic" or story in a sloping roof, if not occupied for living purposes, shall not be counted as a story.

(12) A "fireproof dwelling" is one the walls of which are constructed of brick, stone, cement, iron or other hard, incombustible material, and in which the floors, roofs, stair halls

and public halls are built entirely of brick, stone, cement, iron or other hard, incombustible material, and in which no woodwork or other inflammable material is used in any of the partitions, furrings or ceilings. But this definition shall not be construed as prohibiting elsewhere than in the stair halls and public halls, the use of wooden flooring on top of the fireproof floors or the use of wooden sleepers, nor as prohibiting wooden handrails, door and window frames, doors, sash and inside trimmings.

(13) A "wooden building" is a building of which the exterior walls or a portion thereof are of wood. Court walls are exterior walls.

(14) By a "corner lot" as used in this Act, is meant a lot abutting on two intersecting streets, or a street and an intersecting highway or public alley not less than twenty feet wide measured between the property lines. A lot other than a corner lot is an "interior lot."

(15) The word "nuisance," in this Act, shall be held to embrace a public nuisance, as known at common law or in equity jurisprudence; and it is hereby further enacted that whatever is dangerous to human life or detrimental to health in, under, over, around or about a dwelling; whatever dwelling or part thereof, is overcrowded with occupants, or is not provided with adequate ingress and egress to and from the same, or the apartments thereof; whatever dwelling, or part thereof, is not sufficiently supported, ventilated, sewered, drained, cleaned or lighted, in reference to the intended or actual use; and whatever renders the air or human food or drink therein unwholesome, are also severally, in contemplation of this Act, nuisances; and all such nuisances are hereby declared illegal.

(16) The word "shall" is always mandatory, and not directory, and denotes that the house shall be made and maintained, and in all respects, according to this Act, as long as it continues to be a dwelling.

(17) Wherever the words "department of buildings," "health officer," "mayor," or "city treasurer" occur in this Act, they shall be construed as if followed by the words "of the city of the class in which the dwelling is situated." Wherever the words "health officer" occur in this Act, they shall be construed as referring to the health officer having jurisdiction or such other appropriate public official as the mayor may designate.

The term "building department" shall embrace the department and the executive head thereof specially charged with the execution of laws and ordinances relating to the construction of buildings. Wherever the words "occupied" or "used" are employed in this Act, such words shall be construed as if followed by the words "or is intended, arranged, designed, built, altered, converted to, rented, leased, let or hired out, to be occupied or used."

Wherever the words "dwelling," "two family dwelling," "multiple dwelling," "building," "house," "premises," or "lot," are used in this Act, they shall be construed as if followed by the words "or any part thereof."

Wherever the words "city water" are used in this Act, they shall be construed as meaning any public supply of water through street mains; and wherever the words "public sewer" are used in this Act, they shall be construed as meaning any part of a system of sewers that is used by the public, whether or not such part was constructed at the public expense.

Wherever the word "street" is used in this Act, it shall be construed as including any public alley twenty feet or more in width.

"Approved fireproof material" means as set forth by ordinances or if not so determined, as approved by the building department, or such other department or public official as the mayor may designate.

(18) The "height" of a dwelling is the perpendicular distance measured in a straight line from the curb level, or,

from the finished grade line of the lot, where such grade is higher or lower than the curb, to the highest point of the roof beams in the case of flat roofs, and to the average height of the gable or hip in the case of high-pitched roofs, the measurements in all cases to be taken through the center of the facade of the house. Where a street adjacent to or ground immediately surrounding a dwelling varies, the mean average grade of such street or ground shall be regarded as the grade or level within the meaning of this Act. Where a building is on a corner lot and there is more than one grade or level, the measurements shall be taken through the center of the facade on the street having the greatest grade.

(19) "Supplementary windows" are windows added in addition to those required by the provisions of this Act, and which need not, therefore, comply therewith.

(20) The words "business purposes" as used in this Act shall include all purposes other than living purposes.

(21) An "alcove" is a recess connected with or at the side of a larger room. The floor of such alcove shall be counted as a part of the floor area, and its cubic contents as a part of the cubic contents of the room with which it is connected.

(22) Where a building is erected or is to be erected on a corner lot, the owner may designate what he intends to regard as the rear of such house or lot, and shall treat the building and lot for all purposes mentioned herein accordingly.

(23) A "habitable room" as used in this Act is a room which can be used for sleeping or living purposes, and does not include such entry halls, closets, pantries, kitchens, kitchenettes, or store rooms which by reason of their size or arrangement ventilation or light cannot be used for sleeping or living rooms for any considerable period of the day or night.

§ 3. Buildings Converted or Altered.—A building not a dwelling, if thereafter converted or altered to such use shall

thereupon become subject to all the provisions of this Act relative to dwellings hereafter erected. A dwelling of one class if hereafter altered or converted to another class shall thereupon become subject to all the provisions of this Act relative to such class.

§ 4. Alterations and Change in Occupancy.—No dwelling hereafter erected shall at any time be altered so as to be in violation of any provisions of this Act. And no dwelling erected prior to the passage of this Act shall at any time be altered so as to be in violation of those provisions of this Act applicable to such dwelling. If any dwelling or part thereof is occupied by more families than provided in this Act, or is erected, altered or occupied contrary to law, such dwelling shall be deemed an unlawful structure, and the health officer may cause such dwelling to be vacated. And such dwelling shall not again be occupied until it, or its occupation, as the case may be, has been made to conform to the law.

§ 5. Dwellings Damaged.—If a dwelling be damaged by fire or other cause to the extent of one-half or more of its original value, exclusive of the value of the foundations, such dwelling shall not be repaired or rebuilt except in conformity with the provisions of this Act relative to dwellings hereafter erected.

§ 6. Dwellings Moved.—If any dwelling be hereafter moved from one lot to another, it shall thereupon be made to conform to all the provisions of this Act relative to dwellings hereafter erected.

§ 7. Sewer Connections and Water Supply.—The provisions of this Act with reference to sewer connections and water supply shall be deemed to apply only where connection with a public sewer and with public water mains is or becomes reasonably accessible. All questions of the practicability of such sewer and water connections shall be decided by the health officer. Where sewer connections and

water supply are not accessible, the special provisions as hereinafter contained shall apply.

§ 8. Minimum Requirements: Law Not to be Modified.—The provisions of this Act shall be held to the minimum requirements adopted for the protection of health, welfare and safety of the community. Nothing herein contained shall be deemed to invalidate existing ordinances or regulations of any city of the first class, or the Board of Health or other public officials having jurisdiction of any such city imposing requirements higher than the minimum requirements laid down in this Act relative to light, ventilation, sanitation, fire prevention, egress, occupancy, maintenance, and uses for dwellings; nor be deemed to prevent any such city or the board of health or other public officials having jurisdiction of any such city from enacting and putting in force from time to time ordinances and regulations imposing requirements higher than the minimum requirements laid down in this Act; nor shall anything herein contained be deemed to prevent such cities or the board of health or other public officials having jurisdiction of any such city from prescribing for the enforcement of such ordinances and regulations, remedies and penalties similar to those prescribed herein. And every such city or the board of health, or other public officials having jurisdiction, of any such city, is empowered to enact such ordinances and regulations and to prescribe for their enforcement. No ordinance, regulation, ruling or decision of any municipal body, officer or authority, or the board of health of any such city shall repeal, amend, modify or dispense with any of the said minimum requirements laid down in this Act.

§ 9. State Board of Health.—The State Board of Health shall have the power to examine into the enforcement of this Act in each city. Whenever required by the Governor it shall make such an examination and shall report the results thereof to the Governor within the time prescribed by him.

§ 10. Time for Compliance.—All improvements specifically required by this Act upon dwellings erected prior to the date of its passage shall be made within one year from said date, or at such earlier period as may be fixed by the health officer.

ARTICLE II.

DWELLINGS HEREAFTER ERECTED.

TITLE I.—LIGHT AND VENTILATION.

§ 11. Height.—No dwelling hereafter erected shall exceed in height one and one-half times the width of the widest street upon which it abuts, nor in any case shall it exceed one hundred and twenty-five feet in height. Such width of street shall be measured from the front line of the building as constructed to the opposite property line.

§ 12. Percentage of Lot to be Occupied.—No dwelling hereafter erected shall occupy a greater percentage of the area of the lot than as follows: In the case of interior lots, not more than seventy per cent; in the case of corner lots the streets adjacent to which are twenty or more feet wide, not more than eighty per cent. If a public alley ten feet or more in width, measured between the property lines, lie along a third side, the area of so much of said alley as lies along the width of such lot, may be counted as making up a part of the twenty per cent to be left vacant. In case of interior lots having an alley 20 feet or more in width, the lot shall be measured to the center of alley. Communication between said vacant space and the alley or street shall be established and maintained, as elsewhere provided in this Act. If the front line of the house is set back from the street, the lot area thus left vacant shall not be counted as a part of the area herein provided to be left vacant. Where there is a store in the first story and that story is intended to be or is occupied for business purposes only, of a kind not prohibited by this Act, said vacant space may be considered to start at the second

floor level, provided that the roof of said store or business portion of the first story is properly drained and finished with concrete or other roofing which can be easily kept clean, and is accessible to the occupants of the upper stories of the building, and has free communication with the alley or street as herein elsewhere provided for spaces left vacant at the ground.

§ 13. Rear Yards.—Immediately behind every dwelling hereafter erected, there shall be, except as hereinafter provided, a rear yard extending across the entire width of the lot, such yard shall be at every point open and unobstructed from the ground to the sky; except, that where there is a store on the first story, and that story is, or is intended to be, occupied for business purposes only, of a kind not prohibited by this Act, said yard may be considered to start at the second floor level, provided that the roof of said store is accessible, is properly drained and finished with concrete or other roofing which can be easily kept clean. In the case of an interior lot, for dwellings which are three stories in height, the rear yard space shall be in no case less than fifteen feet deep in every part. Said yard shall be increased one foot six inches for every additional story or fraction thereof: and may be decreased in depth one foot for every story less than three stories in height. Where there is a public alley at the rear of the lot, upon which the lot abuts for its full width, the measurement for yard space may be made to the center of such alley. In the case of a corner lot, with no building facing the street upon which the lot abuts for the greater distance, the rear yard space shall in no case be less than ten feet deep, and one foot six inches additional for each story above the third, except that in case there is a public alley in the rear of said lot, upon which the lot abuts for its full width, the measurement for yard space may be made to the center of such alley. Where there are no windows other than water closet, bathroom, kitchenette or supplementary windows opening upon a rear yard,

such yard may have six feet as its minimum width, which shall be increased one foot six inches for every additional story above three stories. Where there are no windows in the rear of a dwelling no yard shall be required. Any portion of a corner lot distant more than seventy feet from the corner line of said lot, shall be treated as an interior lot. The foregoing provisions of this section shall not apply to hotels.

§ 14. Side Yards.—Dwellings hereafter erected may be built up to the side lot line, if the side wall is without windows. If, however, a side yard is left, it shall be at every point open and unobstructed from the ground to the sky, and shall be not less in width in any part than as follows:

(a) In the case of all dwellings hereafter erected not more than three stories in height and having a side yard, and where no windows, other than water closet, bath room, kitchenette or supplementary windows open upon said yard, the minimum width of said yard shall be four feet, and for every additional story, said width shall be increased at least one foot until a width of ten feet is reached.

(b) In the case of all dwellings hereafter erected not more than three stories in height and having a side yard upon which windows required by this Act shall open, the minimum width of said yard shall be ten feet, and for every additional story, said width shall be increased at least one foot. Where any side yard extends for its full length parallel with, and adjoining a public alley or street, the width of such alley or street may be treated as part of the width of such side yard as prescribed by this section. In the case of dwellings fronting on the same street and on a portion of a lot or plot without side lines of record, the minimum width of the side yard shall be the width between the side walls of said dwellings.

§ 15. Courts.—In the case of any dwelling hereafter erected, the sizes of courts upon which windows required by this Act shall open shall be as follows: The width of all inner courts whose walls are not more than three stories in

height, shall never be less than ten feet in any part and the area shall never be less than two hundred square feet. For every additional story said area shall be increased by an amount equal to the sum of the areas of the required windows opening upon said court. The width of all outer courts shall never be less than the minimum prescribed for inner courts. Nothing in this section shall prevent the windows of water closet compartments, bathrooms, kitchenettes or supplementary windows from facing upon an inner or outer shaft, provided the area of such inner shaft is equal to the sum of the areas of all the windows facing upon it; and provided that the width of such outer shaft is never less than one-half its depth. See Sec. 14.

§ 16. Easements.—When an owner of property adjoining that upon which a dwelling is to be erected, agrees of record to leave open and unoccupied a given space on his property immediately adjoining a side yard or court, and to treat such open space in all respects required by this Act as a side yard or court and as a part of either lot, such space so left vacant and open may be included in determining the size of any side yard or court of which it thereby becomes a part.

§ 17. Courts Open at the Top.—No court of a dwelling hereafter erected shall be covered by a roof or skylight. Every such court shall be at every point open from the ground to the sky unobstructed. Except that in the case of hotels, courts may start on the floor level of the lowest bedroom story and in the case of other multiple dwellings where there are stores or shops on the lower story or stories, and those stories are, or are intended to be, occupied for business purposes of a kind not prohibited by this Act, such courts may start on the top of such lower story or stories.

§ 18. Angles in Courts.—Nothing contained in the foregoing sections concerning courts shall be construed as preventing the cutting across the angles of said courts; provided that the running length of the wall across the angle does not exceed six feet.

§ 19. Dwellings in Alleys.—No dwelling shall be erected upon any alley or court where there is not left an open space of at least twenty feet in width between the dwelling and the center line of said alley or court.

§ 20. Buildings on the Same Lot with a Dwelling.—If any building is hereafter placed on the same lot with a dwelling, there shall always be maintained between the said buildings an open and unoccupied space extending upwards from the ground as required elsewhere in this Act. If such buildings are placed at the side of each other, the space between them shall conform to the provisions of Section 14 of this Act relating to side yards. If such buildings are placed one at the rear of the other, the space between them shall be the same as that prescribed in Section 13 for rear yards. In all cases, the height of the highest building on the lot shall regulate the dimensions. No building of any kind shall be hereafter placed upon the same lot with a dwelling so as to decrease the minimum sizes of courts or yards as hereinbefore prescribed.

A private garage or private stable may be built at the rear of a lot on which there is a dwelling at the front. Such garage or stable shall not exceed two stories in height, and may have living rooms therein for the use solely of a household employe, of the occupant of the dwelling on the front of the lot or a member of such employe's family. If so occupied, the garage or stable, in addition to complying with the provisions of this Act, such living rooms shall have an entrance from the outside of the building without passing through the garage or stable. In the case of such garages which do not exceed one story in height, the minimum distance between the rear wall of the dwelling and the nearest wall of the garage may be fifteen feet regardless of the height of the dwelling. In all other cases, the rear yard shall be measured from the rear wall of the dwelling and the nearest

wall of the garage and shall conform to the provisions of Section 13 for rear yards.

If any dwelling is hereafter erected upon any lot upon which there is already another building, it shall comply with the provisions of this Act, and in addition, the space between the said building and the said dwelling shall be of such size and arranged in such manner as is prescribed in this section, the height of the highest building on the lot to regulate the dimensions.

§ 21. Rooms, Lighting and Ventilation of.—In every dwelling hereafter erected, every room including water closet compartments, bathrooms and kitchenettes, shall, except as hereinafter provided, have at least one window opening directly upon the street, or upon a yard, court or shaft of the dimensions specified in this Act, and such window or windows shall be so located as to properly light all portions of such room.

§ 22. Windows in Rooms.—In every dwelling hereafter erected, the total window area in each room, including water closet compartments, bathrooms and kitchenettes, shall be at least one-eighth of the superficial floor area of the room, and such required area of the whole window shall be made so as to open in all its parts. No such window shall be less than twelve square feet in area between the stop beads. The top of at least one window shall be not less than seven feet six inches above the floor.

§ 23. Rooms, Size of.—In every dwelling hereafter erected, all rooms, except water closet compartments, bath rooms and kitchenettes shall be of the following minimum sizes: In each dwelling or in each apartment, group or suite of rooms, there shall be at least one room containing not less than one hundred and fifty square feet of floor area; and each other room shall contain at least eighty-four square feet of floor area. No such room shall be in any part less than seven feet wide. There shall be not less than five hundred cubic

feet of air to each adult, and two hundred and fifty cubic feet of air to each child under twelve years of age occupying such room. Each room shall be in every part not less than eight feet high from the finished floor to the finished ceiling; provided, however, that an attic room, if habitable, need be eight feet high in but one-half of its area but at no point less than five feet six inches in height.

§ 24. Privacy.—In every multiple dwelling hereafter erected in each apartment of three or more rooms, access to every living room and to every bedroom and to at least one water-closet compartment shall be had without passing through a bedroom.

§ 25. Water Closet Compartments, Bath Rooms and Kitchenettes, Lighting and Ventilation of.—In every dwelling hereafter erected, every water-closet compartment, bath room and kitchenette shall have at least one window opening directly upon the street or upon a yard, court or shaft of the dimensions hereinbefore specified; or, if located immediately beneath a roof, a ventilating sky-light, open to the sky, may be used in lieu of the windows required by this section. The area of such windows or skylights shall be as prescribed in Section 22 of this Act, provided, however, that no such window shall be less in size than three square feet between stop beads and the opening of no such sky-light shall be less than three square feet. Every such window shall be made so as to open in all its parts. Nothing in this section contained shall be construed so as to prohibit a general toilet room containing several water closet compartments separated from each other by dwarf partitions; provided such toilet room is adequately lighted and ventilated to the outer air as above provided, and that such water closets are supplemental to the water closet accommodations as hereinafter required. The above provisions shall not apply to multiple dwellings that have a system of forced ventilation so constructed as entirely to change the air in every bath room, toilet room, water closet compartment or kitchenette every seven minutes.

§ 26. Public Halls.—In every multiple dwelling hereafter erected, every public hall shall have at each story at least one window opening directly upon the street or alley, or upon a yard or court of the dimensions hereinbefore specified. Any part of a public hall which is offset or recessed more than twenty-five feet or is shut off from any other part of said hall, shall be deemed a separate hall within the meaning of this section, and shall be separately lighted and ventilated. Such window shall be so placed at the end of the hall, that light may pass directly to the opposite end of the hall, or else there shall be at the side of the hall at least one such window in every twenty feet in length, or fraction thereof, of such hall, except in so much of any public entrance hall as lies between the entrance to the building and the flight of stairs nearest the entrance provided the entrance door contains not less than five square feet of glazed surface. But where there is a system of artificial lighting and ventilation, which is in the opinion of the health officer adequate to properly light and ventilate said hall, the windows required in this and the two following sections may be omitted.

§ 27. Windows for Public Halls, Size of.—In multiple dwellings hereafter erected, one at least of the windows provided to light each public hall or part thereof, shall have at least twelve square feet of area measured between the stop beads.

§ 28. Windows for Stair Halls, Size of.—In every multiple dwelling hereafter erected, there shall be provided for each story, at least one window to light and ventilate each stair hall, which window shall have at least twelve square feet of area, measured between the stop beads. A sash door opening to the outer air shall be deemed the equivalent of a window in this and the two foregoing sections; provided, that such door contains the amount of glazed surface prescribed for such windows. Such window or door shall open direct-

ly upon the street or alley, or upon a yard or court of the dimensions hereinbefore specified.

§ 29. Outside Porches.—In multiple dwellings hereafter erected outside porches shall be so located as not to interfere with or diminish the light or ventilation required by this Act. The term “outside porches” shall include outside platforms, balconies and stairways. All such outside porches shall be considered as part of the building, and not as part of the yards or courts or other unoccupied area.

TITLE II.—SANITATION.

§ 30. Cellar Rooms.—In dwellings hereafter erected, no room in the cellar shall be constructed, altered, converted or occupied for living purposes.

§ 31. Basement Rooms.—No room in the basement shall be constructed, altered, converted or occupied for living purposes, unless all of the following conditions are complied with:

1. Such room shall be at least eight feet high from the floor to the ceiling.

2. In addition to the other requirements of this Act, such room shall be well drained and dry, and shall be fit for human habitation.

§ 32. Cellars, Damp-Proofing and Lighting.—Every dwelling hereafter erected shall have a basement, cellar, or an excavated space at least three feet in depth under the entire entrance floor or the entrance floor shall be elevated above the ground so that there will be a clear air space of at least twenty-four inches between the top of the ground and the bottom of said floor, so as to insure ventilation and protection from dampness. Such space shall in all cases be enclosed but shall be provided with ample ventilation and shall be properly drained. In every dwelling hereafter erected, adequate precautions shall be taken to prevent dampness in all cellars, basements and foundation walls. When the na-

ture of the soil is such that the damp-proofing of walls and floors becomes necessary, such damp-proofing shall run through the walls and up the same as high as the ground level and shall be continued throughout the floor. All cellars and basements in dwellings hereafter erected shall be properly lighted and ventilated.

§ 33. Yards, Courts, Shafts and Areas.—In every dwelling hereafter erected, the bottom of all yards, courts, shafts and areas which extend to the basement or cellar floor level, shall extend six inches below the floor level of said basement or cellar. In every dwelling hereafter erected all yards, courts, shafts and areas shall be properly graded and drained, and when required by the health officer, they shall be properly paved in whole or in part, as may be necessary.

§ 34. Water Supply.—For every dwelling hereafter erected, where public water mains are accessible, there shall be provided within twelve feet of the entrance, a proper water supply. When such water mains are not accessible, such house shall have other water, suitable for all domestic uses, free from any contamination, supplied either within the house or within twelve feet thereof.

§ 35. Water Closet Accommodations.—For every dwelling hereafter erected, there shall be a separate water closet. Each such water closet shall be placed in a compartment completely separated from every other water closet, but a bath room may be in the same compartment. Such compartment shall be not less than three feet wide and shall be enclosed with partitions which shall extend to the ceiling. It shall be lighted and ventilated as prescribed in Section 25 of this Act. No drip trays shall be permitted on any water closet. No water closet fixture shall be encased with any woodwork. Every water-closet compartment hereafter placed in any dwelling shall be provided with proper means of lighting the same at night. If fixtures for artificial light are not provided within said compartment then the door of said compartment

shall be provided with translucent glass panels, or with a translucent glass transom not less in area than four square feet. No water closet shall be placed in a cellar or basement except upon a written permit from the health officer unless it is an extra water closet in a private dwelling and complies in all respects with the provisions of this Act. If any dwelling is built in a locality where neither a water main nor sewer is accessible a "Kentucky Privy" as recommended by the State Board of Health may be built in the yard in lieu of a water closet. The overflow from this privy may be taken up by laterals or it may empty into a vault. The structure to be built over this privy shall be provided with adequate means of ventilation.

In two-family dwellings and in multiple dwellings of Class A hereafter erected, there shall be for each family a separate water closet constructed and arranged as above provided; except that where there are apartments consisting of one or two rooms only, it shall be sufficient to provide one water closet for each two such apartments. In such case, such water closet if within the building, shall not open into any apartment, but shall be accessible through a public hall and the door thereof shall be provided with lock and keys; and such compartment and water closet shall comply in all other respects with the provisions of this Act. In multiple dwellings of Class B hereafter erected, there shall be provided at least one water closet for every fifteen occupants or fraction thereof. In two family and multiple dwellings, the floor of every such water closet compartment shall be made waterproof with asphalt, tile, stone terrazzo or some other non-absorbent waterproof material; and such waterproofing shall extend at least six inches above the floor, so that the said floor can be washed or flushed out without leaking.

§ 36. Sewer Connections.—Except as hereinafter provided no multiple dwelling shall hereafter be erected on any street unless there is accessible city water and a public sewer

or a private sewer connected directly with a public sewer, and every such multiple dwelling shall have its plumbing system connected with the city water supply and with a public sewer before such multiple dwelling is occupied. No other means of sewage disposal shall be used in connection with any dwelling where connection with public sewer is practicable. Provided, however, that a multiple dwelling may be erected on a street where no sewer connection is possible, upon a permit issued by the health officer if in his opinion adequate and sanitary means of sewage disposal are provided by the owner of the lot on which such dwelling is proposed to be erected.

§ 37. Plumbing.—In every dwelling hereafter erected, no plumbing fixture shall be enclosed with woodwork, but the space underneath shall be left entirely open. Plumbing pipes shall be exposed, when so required by the health officer. All plumbing work shall be sanitary in every particular and, except as otherwise specified in this Act, shall be in accordance with the plumbing regulations of said city. All fixtures shall be trapped. Pan, plunger and long hopper closets will not be permitted except that frost-proof closets may be used outside of a building. In all multiple dwellings hereafter erected where plumbing or other pipes pass through floors or partitions, the openings around such pipes shall be sealed or made air-tight with incombustible materials, so as to prevent the passage of air or the spread of fire from one floor to another or from room to room.

TITLE III.—FIRE PROTECTION.

§ 38. Fireproof Dwelling, When Required.—Every dwelling hereafter erected over three stories in height, and every non-fireproof building hereafter altered for use as a dwelling over three stories in height, shall be of non-combustible construction.

§ 39. Means of Egress.—Every multiple dwelling hereafter erected exceeding two stories in height shall have at

least two independent ways of egress which shall extend from the ground floor or the ground to the top story and shall be located remote from each other. The usual means of ingress may be considered as one means of egress and the other shall be either an inside stairway or an outside porch with a stairway from the grade to the topmost story. In multiple dwellings of Class A the second way of egress shall be directly accessible to each apartment group or suite of rooms without having to pass through another apartment or through the first way of egress. In multiple dwellings of Class B the second way of egress shall be directly accessible from a public hall and be not distant more than seventy-five feet from said hall.

§ 40. Roof Egress: Scuttles and Bulkheads.—Every Flat-roofed multiple dwelling hereafter erected exceeding two stories in height, shall have in the roof a bulkhead or a scuttle not less than two feet by three feet in size. Such scuttle or bulkhead shall be fireproof or covered with metal on the outside and shall be provided with stairs or stationary ladder leading thereto and easily accessible to all the occupants of the building. No scuttle or bulkhead shall be located in a closet or room, but shall be located in the ceiling of the public hall on the top floor and access thereto shall be direct and uninterrupted.

§ 41. Stairs and Public Halls.—Every multiple dwelling three stories or more in height hereafter erected, shall have at least one flight of stairs extending from the entrance floor to the roof; and the stairs and public halls therein shall be at least three feet wide in the clear. All stairs shall be constructed with a rise of not more than eight inches and with treads not less than ten inches wide and not less than three feet long in the clear. Winding stairs will not be permitted.

§ 42. Stair Halls.—In non-fireproof multiple dwellings hereafter erected which are three stories in height, the public

halls, stairs and stair halls and soffits of stair shall be enclosed and ceiled with metal lath and plaster.

§ 43. Furnace and Boiler Rooms.—In non-fireproof multiple dwellings hereafter erected, which are three stories in height, the boiler or furnace room shall be enclosed and ceiled with metal lath and cement plaster.

§ 44. Entrance Halls.—The above requirements for enclosing and ceiling stair halls shall also apply to entrance halls. No entrance hall shall be less than four feet six inches wide in the clear. In every multiple dwelling hereafter erected access shall be had from the street or alley to the yard, either in a direct line or through a court.

§ 45. Dumb-Waiters and Elevators.—In multiple dwellings hereafter erected, all dumb waiters and elevators shall be enclosed in fireproof shafts with fireproof doors at all openings at each story including the cellar. In the case of dumb waiters such doors shall be self-closing. Every elevator shall be completely separated from the stairs by fireproof walls.

§ 46. Cellar Stairs.—In multiple dwellings hereafter erected inside cellar stairs shall be enclosed in a fireproof wall and shall have a fireproof, self-closing door at the bottom.

§ 47. Closet Under First-Story Stairs.—In multiple dwellings hereafter erected, no closet of any kind shall be constructed under any staircase leading from the entrance story to the upper stories, but such space shall be left entirely open and free from encumbrance.

§ 48. Cellar Entrance.—In every multiple dwelling hereafter erected there shall be an entrance to the cellar or other lowest story from the outside of the said building.

§ 49. Wooden Multiple Dwelling.—No wooden multiple dwelling shall hereafter be erected and no wooden building not now used as a multiple dwelling shall hereafter be altered into a multiple dwelling.

§ 50. Fire Walls.—In every row of two or more frame dwellings hereafter erected, the dividing walls shall be made of incombustible material not less than eight inches thick and carried to the underside of the roof coverings if the roof is a steep pitched roof, or two feet above the roof if the roof is flat. There shall be no openings in such wall.

§ 51. Garages in Dwellings.—In private and two family dwellings, all partitions enclosing garages shall be built of incombustible materials and the ceiling shall be covered with metal lath and plaster and there shall be an incombustible sill or threshold ten inches high between the garage and other portions of the building.

In multiple dwellings, the garage shall be fireproof shall have a ten inch high sill and shall be cut off from other portions of the dwelling by Underwriters Standard fire doors.

ARTICLE III.—ALTERATIONS.

§ 52. Enlargement of Dwellings.—To any wooden multiple dwelling erected prior to the passage of this Act, an extension not exceeding a total area of seventy square feet may be added, if the extension is for bath rooms, water closets, or stairs. No existing wooden building shall be so altered or have its occupancy so changed as to be occupied by any separate family above the second floor. No dwelling shall hereafter be enlarged or its lot be diminished, or other building placed on the lot so that the rear yard or side yard shall be less in size than the minimum sizes hereinbefore prescribed, nor shall a greater percentage of the lot be occupied by buildings or structures than hereinbefore provided for. All new stairs shall comply with the requirements for stairways in new buildings.

§ 53. Height.—No dwelling shall be increased in height so that the said building shall exceed the maximums allowed in Section 11 of this Act.

§ 54. New Courts in Existing Buildings—A court hereafter constructed in a dwelling erected prior to the passage of this Act, if extending only through one or two stories, shall be not less than six feet wide and in the case of inner courts, shall be not less than eight feet long. If the court extends through more than two stories, it shall be not less than eight feet wide and in the case of inner courts, shall be not less than eight feet long. All courts shall be open to the sky, without skylight or roof of any kind. Section 16 relating to easements shall also apply to new courts in existing dwellings.

§ 55. Additional Rooms and Halls—Any additional room or hall that is hereafter constructed or created in a dwelling shall comply, in all respects, with the provisions of this Act relating to new construction, except that such room or hall may be of the same height as the other rooms or hall on the same story of the house.

§ 56. Rooms and Halls, Lighting and Ventilation of—No dwelling shall be so altered or its lot diminished that any room or public hall stairs shall have its light or ventilation diminished in any way not approved by the health officer.

§ 57. Alcoves and Alcove Rooms—No part of any room in a dwelling shall hereafter be enclosed or subdivided, wholly or in part by a curtain, portieres, fixed or movable partition or other contrivance or device, unless such part of the room so enclosed or subdivided shall contain a window as required by Section 22 of this Act and have a floor area of not less than eighty-four square feet.

§ 58. Roof Stairs—No stairs leading to the roof in any multiple dwelling shall be removed or be replaced with a ladder.

§ 59. Bulkheads—Every bulkhead hereafter constructed in a multiple dwelling shall be constructed fireproof or covered with metal on the outside.

§ 60. Water Closet Accommodations—Every water closet hereafter placed in a dwelling, except one provided to

replace a defective or antiquated fixture in the same location, shall comply with the provisions of Sections 25, 35, and 37 of this Act relative to water closets in dwellings hereafter erected.

§ 61. Fireproof Dwellings—No dwelling shall hereafter be altered so as to exceed three stories in height unless it shall be a fireproof dwelling.

§ 62. Fire Escapes—All fire escapes hereafter constructed on any multiple dwelling shall be located and constructed as prescribed in Section 93 of this Act.

§ 63. Dumb Waiters and Elevators—All dumb waiters and elevators hereafter constructed in multiple dwellings shall comply with the provisions as set forth in Section 45 of this Act.

ARTICLE IV.—MAINTENANCE.

§ 64. Public Halls, Lighting of in the Daytime.—In every multiple dwelling, where the public halls and stairs are not provided with windows opening directly to the street or to a yard or court of such dimensions as prescribed in this Act and such halls and stairs are not sufficiently lighted, the owner of such dwelling shall keep a proper light burning in the hallway, near each stairway upon each floor, as may be necessary, from sunrise to sunset.

§ 65. Public Halls, Lighting at Night.—In every multiple dwelling a proper light shall be kept burning by the owner in the public hallways, near each stairway, upon each floor, every night from sunset to sunrise throughout the year if so required by the health officer.

§ 66. Water Closets in Cellars.—No water closet shall be maintained in the cellar of any dwelling without a permit in writing from the health officer unless it is a supplementary water closet in a private dwelling. Under no circumstances shall the general water closet accommodations of any two-family or multiple dwelling be permitted in the cellar or base-

ment thereof; this provision, however, shall not be construed so as to prohibit a general toilet room containing several water closets, provided such water closets are supplementary to those required by this Act.

§ 67. Water Closet Accommodations.—For every multiple dwelling existing prior to the passage of this Act, there shall be provided at least one water closet for every two apartments, groups or suites of rooms, or fraction thereof. Except that for multiple dwellings of Class B there shall be provided at least one water closet for every fifteen occupants or fraction thereof.

§ 68. Basement and Cellar Rooms.—No room in the cellar of any dwelling erected prior to the passage of this Act shall be occupied for living purposes. And no room in the basement of any such dwelling shall be so occupied without a written permit from the health officer which permit shall be kept readily accessible in the main living room of the apartment containing such room. No such room shall hereafter be occupied unless all the following conditions are complied with:

(1) Such room shall be at least seven feet high in every part from the floor to the ceiling.

(2) The ceiling of such room shall be in every part at least three feet six inches above the surface of the street or ground outside of or adjoining the same.

(3) There shall be appurtenant to such room the use of a water closet.

(4) At least one of the rooms of the apartment of which such rooms is an integral part, shall have a window opening directly to the street or yard, of at least twelve square feet in size measured between the stop heads, and which shall open readily for purposes of ventilation.

(5) The lowest floor shall be water-proof and damp-proof.

(6) Such room shall have sufficient light and ventilation and shall be well drained and dry, and shall be fit for human habitation.

§ 69. Cellar Walls and Ceilings.—The cellar walls and cellar ceilings of every two-family and multiple dwelling shall be thoroughly whitewashed or painted a light color by the owner and shall be so maintained. Such whitewash or paint shall be renewed whenever necessary as may be required by the health officer.

§ 70. Water Closets and Sinks.—In all two family and multiple dwellings, the floor or other surface beneath and around water-closets and sinks shall be maintained in good order and repair and, if of wood, shall be kept well painted with light colored paint.

§ 71. Repairs.—Every dwelling and all the parts thereof shall be kept in good repair and the roof shall be kept so as not to leak, and all rain water shall be so drained and conveyed therefrom as to prevent its dripping onto the ground or causing dampness in the walls, ceilings, yards, or areas.

§ 72. Water Supply.—Every dwelling shall be provided with proper water supply as set forth in the requirements under Section 34 of this Act. The owner of such dwelling shall provide proper appliances to receive and distribute an adequate and sufficient supply of such water according to the provisions of this Act, at all times of the year, during all hours of the day and night. But a failure in the general supply of city water shall not be construed to be a failure on the part of such owner, provided proper and suitable appliances to receive and distribute such water have been provided.

§ 73. Cisterns and Wells.—Where there is no city water supply reasonably accessible, there shall be provided one or more adequate cisterns or wells with a pump or other attachment for drawing water but with no opening for drawing water with pails or buckets. Such cisterns or wells shall be furnished of such size and number and constructed and

maintained in such manner as may be determined by the health officer.

§ 74. Catch Basin.—In the case of dwellings where sinks with running water are not provided and where there is no sewer one or more catch basins or some other approved contrivance for the disposal of waste water as may be necessary in the opinion of the health officer, shall be provided in the yard or court level with the surface thereof and at a point easy of access to the occupants of such dwelling.

§ 75. Cleanliness of Dwellings.—Every dwelling and every part thereof shall be kept clean and shall also be kept free from any accumulation of dirt, filth, rubbish, garbage or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected with or belonging to the same. The owner of every dwelling, and in the case of a private dwelling the occupant thereof, shall thoroughly cleanse or cause to be cleansed all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water closets, cess-pools, drains, halls, cellars, roofs and all other parts of the said dwelling of which he is the owner, or in the case of a private dwelling the occupant, to the satisfaction of the health officer, and shall keep the said parts of the said dwelling in a cleanly condition at all times.

§ 76. Walls of Courts and Shafts.—In multiple dwellings, the walls of all courts and shafts, unless built of a light colored brick, stone or other light colored material, shall be thoroughly whitewashed by the owner, or shall be painted a light color by him, and so maintained. Such whitewash or paint shall be renewed whenever necessary, as may be required by the Health Officer.

§ 77. Walls and Ceilings of Rooms.—In all multiple dwellings the Health Officer may require the walls and ceilings of every room that does not open directly on the street to be calcimined white or painted with white paint when neces-

sary to improve the lighting of such room, and may require this to be renewed as often as may be necessary.

§ 78. Receptacles for Ashes, Garbage and Rubbish.—The owner of every dwelling, and in the case of a private dwelling or a two-family dwelling the occupant, shall provide and maintain for said dwelling proper and suitable tight metal cans, with covers for holding ashes, rubbish, garbage, refuse and other matter. Chutes and bins for such purposes are prohibited.

§ 79. Prohibited Uses.—No horse, cow, calf, swine, sheep, goat or fowls shall be kept in any dwelling or part thereof. Nor shall any such animal be kept on the same lot or premises with a dwelling except under such conditions as may be prescribed by the Health Officer. No such animal, except a horse, shall under any circumstances be kept on the same lot or premises with a multiple dwelling. No dwelling or the lot or premises thereof shall be used for the storage of rags or junk. No multiple dwelling or the lot or premises thereof shall be used for purposes of prostitution or assignation.

§ 80. Combustible Materials.—No dwelling, nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health; nor of any combustible article except under such conditions as may be prescribed by the Health Officer and under authority of a written permit issued by him. No multiple dwelling nor any part thereof, shall be used as a place of storage, keeping or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers, rags or waste.

§ 81. Certain Dangerous Businesses.—No bakery and no place of business in which fat is boiled, shall be maintained in any multiple dwelling which is not fireproof throughout. There shall be no transom, window or door opening into a public hall from any portion of a multiple dwelling where

paint, oil, drugs, spirits are stored or kept for the purpose of sale or otherwise. The provisions of this paragraph shall not apply to hotels.

§ 82. Janitor or Housekeeper.—In any multiple dwelling in which the owner thereof does not reside, there shall be a janitor, housekeeper or other responsible person who shall reside in said house and have charge of the same, if the Health Officer shall so require.

§ 83. Overcrowding.—If any room in a dwelling is overcrowded, the Health Officer may order the number of persons sleeping or living in said room to be so reduced that there shall be not less than five hundred cubic feet of air to each adult and two hundred and fifty cubic feet of air to each child under twelve years of age occupying such room.

§ 84. Infected and Uninhabitable Dwellings to be Vacated.—Whenever it shall be certified by the Health Officer that a dwelling is infected with contagious disease, or that it is unfit for human habitation, or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, lighting, ventilation, or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said dwelling, or for any other cause, the Health Officer may issue an order requiring all persons therein to vacate such house within not less than twenty-four hours nor more than ten days for the reasons to be mentioned in said order. In case such order is not complied with within the time specified, the Health Officer may cause said dwelling to be vacated. The Health Officer whenever he is satisfied that the danger from said dwelling has ceased to exist, or that it is fit for human habitation, shall revoke said order or may extend the time within which to comply with the same.

§ 85. Repairs to Buildings, Etcetera.—Whenever any dwelling or any building, structure, excavation, business pursuit, matter or thing in or about a dwelling, or the lot on which

it is situated, or the plumbing, sewerage, drainage, light or ventilation thereof, is in the opinion of the Health Officer, in a condition or in effect dangerous or detrimental to life or health, the Health Officer may declare that the same to the extent he may specify is a public nuisance, and may order the same to be removed, abated, suspended, altered or otherwise improved or purified as the order shall specify. In addition to the above powers, the Health Officer may also order or cause any dwelling or excavation, building, structure, sewer, plumbing pipe, passage, premises, ground, matter or thing, in or about a dwelling, or the lot on which it is situated, to be purified, cleansed, disinfected, removed, altered, repaired or improved. If any order of the Health Officer is not complied with, or so far complied with as he may regard as reasonable, within five days after the service thereof, or within such shorter time as he may designate, then such order may be executed by such official through his officers, agents, employees, or contractors.

§ 86. Fire Escapes.—The owner of every multiple dwelling on which there are fire escapes, shall keep them in good order and repair and whenever rusty shall have them properly painted with two coats of paint. No person shall at any time place any incumbrance of any kind before or upon any such fire escape.

§ 87. Scuttles, Bulkheads, Ladders and Stairs.—In all multiple dwellings where there are scuttles or bulkheads, they and all stairs or ladders leading thereto shall be easily accessible to all occupants of the building and shall be kept free from incumbrance and ready for use at all times. No scuttle and no bulkhead door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or hooks.

ARTICLE V.—IMPROVEMENTS.

§ 88. Rooms, Lighting and Ventilation of.—No room in a dwelling erected prior to the passage of this Act shall hereafter be occupied for living purposes unless it shall have

a window or an area of not less than eight square feet opening directly upon the street, or upon a rear yard not less than ten feet deep, or above the roof of an adjoining building, or upon a court or side yard of not less than twenty-five square feet in area, open to the sky without roof or skylight, unless such room is located on the top floor and is adequately lighted and ventilated by a skylight opening directly to the outer air, except that a room which does not comply with the above provisions may be occupied if provided with a sash window of not less than fifteen square feet in area, opening into an adjoining room in the same apartment, group or suite of rooms, which latter room either opens directly on the street or on a rear yard of the above dimensions. Said sash window shall be a vertically sliding pulley hung sash not less than three by five feet between the stop beads, both halves shall be made so as to readily open, and the lower half shall be glazed with translucent glass, and so far as possible, it shall be in line with windows in the said outer room opening on the street or rear yard so as to afford a maximum of light and ventilation.

§ 89. Public Halls and Stairs, Lighting and Ventilation of.—In all dwellings erected prior to the passage of this Act the public halls and stairs shall be provided with as much light and ventilation to the outer air as may be deemed necessary by the Health Officer, who may order the cutting in of windows and skylights and such other improvements and alterations in said dwellings as in his judgment may be necessary and appropriate to accomplish this result.

§ 90. Privy Vaults and Water Closets.—In all dwellings erected prior to the passage of this Act, where a connection with a sewer is possible, all privy vaults and other similar receptacles used to receive fecal matter, urine or sewage, shall on or before July 1, 1921, with their contents be completely removed and the place where they were located properly disinfected under the direction of the Health Officer. Such appliances shall be replaced by individual water closets of

durable, non-absorbent material, properly sewer connected, and with individual traps, and properly connected flush tanks providing an ample flush of water to thoroughly cleanse the bowl. Each such water closet, when located inside the dwelling, shall be located in a compartment completely separated from every other water closet, and such compartment shall contain a window of not less than three square feet in area opening directly to the street, or a rear yard or on a side yard or court of the minimum sizes hereinbefore prescribed. In two-family and multiple dwellings the floors of the water closet compartments shall be water-proofed as provided in Section 35 of this Act. Where water closets are placed in the yard, to replace privy vaults, long hopper closets may be used; but all traps, flush tanks and pipes shall be protected against the action of frost. In such cases, the structure containing the water closets shall not exceed ten feet in height; such structure shall be provided with a ventilating skylight in the roof, of an adequate size, and each water closet shall be located in a compartment completely separated from every other water closet. In the case of two-family and multiple dwellings proper and adequate means of lighting the structure at night shall be provided. The provisions of Section 35 as to number of water closets in proportion to the number of families or persons in two-family and multiple dwellings, shall apply.

§ 91. Basements and Cellars.—The floor of the cellar or lowest floor of every dwelling shall be free from dampness and when necessary, shall be concreted with not less than four inches of concrete of good quality and with a finished surface. The cellar ceiling of every multiple dwelling shall be plastered, when so required by the Health Officer.

§ 92. Shafts and Courts.—In every dwelling where there is a court or shaft of any kind, there shall be at the bottom of every such shaft and court a door giving sufficient access to such shaft or court to enable it to be properly cleaned

out. Provided that where there is already a window giving proper access it shall be deemed sufficient.

§ 93. Egress.—Every multiple dwelling exceeding two stories in height shall have at least two independent ways of egress constructed and arranged as provided in Section 39 of this Act. In the case of multiple dwellings erected prior to the passage of this Act where it is not practicable to comply in all respects with the provisions of that paragraph, the Health Officer shall make such requirements as may be appropriate to secure proper means of egress from such multiple dwellings for all the occupants thereof. No existing fire-escape shall be deemed a sufficient means of egress unless the following conditions are complied with:

(1) All parts of it shall be of iron or reinforced concrete.

(2) The fire escape shall consist of outside balconies which shall be properly connected with each other by adequate stairs with openings not less than twenty-four by twenty-eight inches.

(3) All fire-escapes shall have proper stairways from the lowest balcony of sufficient length to reach a safe landing place beneath. Where such stairways are not possible, balanced ladders may be used.

(4) All fire-escapes not on the street shall have an adequate and safe means of egress from the yard or court to the street or alley or to the adjoining premises.

(5) Prompt and ready access shall be had to all fire-escapes, which shall not be obstructed by bath-tubs, water-closets, sinks, or other fixtures, or in any other way.

All fire escapes that are already erected which do not conform to the requirements of this paragraph, may be altered by the owner to make them so conform in lieu of providing new fire-escapes, but no existing fire-escape shall be extended or have its location changed except with the written approval of the Health Officer.

§ 94. Additional Means of Egress.—Whenever any multiple dwelling is not provided with sufficient means of egress in case of fire, the Health Officer shall order such additional means of egress as may be necessary.

§ 95. Roof Egress, Scuttles, Bulkheads, Ladders and Stairs.—Every flat roofed multiple dwelling exceeding two stories in height, erected prior to the passage of this Act, shall have in the roof a bulkhead, or a scuttle as prescribed in Sections 40 and 87 of this Act. All key-locks on existing scuttles and on bulkhead doors shall be removed.

ARTICLE VI.—REQUIREMENTS AND REMEDIES.

§ 96. Permit to Commence Building.—Before the construction or alteration of a dwelling, or the alteration or conversion of a building for use as a dwelling, is commenced, and before the construction or alteration of any building or structure on the same lot with a dwelling, the owner, or his agent or architect shall submit to and file with the Health Officer a detailed statement in writing, verified by the affidavit of the person making the same, of the specifications for the light and ventilation and sanitation of such dwelling or building, and also full and complete copies of the plans of such work. With such statement there shall be submitted a plat of the lot showing the dimensions of the same, the location of the proposed building and all other buildings on the lot. Such statement shall give in full the name and residence, by street and number, if any, of the owner or owners of such dwelling or building and the purposes for which such dwelling or building will be used. If such construction, alteration or conversion is proposed to be made by any other person than the owner of the land in fee, such statement shall contain the full name and residence, by street and number, if any, not only of the owner of the land, but of every person interested in such dwelling, either as owner, lessee or in any representative capacity. Said affidavit shall allege that said specifications are true and con-

tain a correct description of such dwelling, building, structure, lot, and proposed work. The statements herein provided for may be made by the owner, or by the person who proposes to make the construction, alteration or conversion, or by his agent or architect. No person, however, shall be recognized as the agent of the owner, unless he shall file with the said Health Officer, a written instrument signed by such owner designating him as such agent. The Health Officer shall cause all such plans, statements, affidavits and specifications to be examined, and if they conform to the provisions of this Act, they shall be approved by the Health Officer and a written certificate to that effect shall be issued by him to the person submitting the same. Such Health Officer may, from time to time, approve changes in any plans and specifications previously approved by him, provided plans and specifications when so changed shall be in conformity with law. Any permit or approval which may be issued by the Health Officer but under which no work has been done above the foundation walls within one year from the time of the issuance of such permit or approval, shall expire by limitation. Such Health Officer shall have power to revoke or cancel any permit or approval in case of any failure or neglect to comply with any of the provisions of this Act, or in case any false statement or representation is made in any specification, plans, affidavits or statements submitted or filed for such permit or approval. The Health Officer may issue and enforce such rules and regulations not inconsistent with this Act, as may be necessary to fully carry out and enforce the provisions hereof.

§ 97. Certificate of Compliance.—No building hereafter constructed as or altered into a dwelling shall be occupied in whole or in part for human habitation until the issuance of a certificate by the Health Officer, that said dwelling conforms in all respects to the requirements of this Act.

§ 98. Unlawful Occupation.—If any building hereafter constructed as or altered into a dwelling be occupied in whole

or in part for human habitation in violation of the last paragraph, during such unlawful occupation no rent shall be recoverable by the owner or lessee of such premises for such period, and said premises shall be deemed unfit for human habitation and the Health Officer may cause them to be vacated accordingly.

§ 99. Penalties for Violations.—Every person who shall violate or assist in the violation of any provision of this Act, shall be fined not less than ten dollars nor more than twenty-five dollars for each offense, and each and every day after the expiration of the notice prescribed by this Act that said violation is allowed to continue, shall be considered an additional offense. Such person or persons shall also be liable for all costs, expenses and disbursements paid or incurred by said officer or department or by an agent, employe or contractor of the same, in the removal of any nuisance or violation. The existence of any nuisance or violation of this Act in or upon the property, shall subject said property to the fines and penalties herein prescribed, upon the institution of the proper proceedings against said property or its owner.

§ 100. Procedure.—In case any dwelling, building or structure or any part thereof is constructed, altered, converted or maintained in violation of any provision of this Act or any order or notice of the Health Officer, or in case a nuisance exists in any such building, dwelling or structure, or upon the lot on which it is situated, such Health Officer may institute in the name of the city any appropriate civil action or proceeding to prevent such unlawful construction, alteration, conversion or maintenance, or to restrain, correct, abate such violation or nuisance, or to prevent any illegal act, conduct or business in or about such dwelling or lot, or for the imposition or collection of any fine or penalty prescribed by this Act. In no case shall the said Health Officer nor any of his deputies or employees, or the city, be liable for costs in any action or proceeding that may be commenced in pursuance of this Act.

The actions, proceedings and authority of the Health Officer, shall at all times be regarded as in their nature judicial, and shall be treated as *prima facie* just and legal.

§ 101. Tenant's Responsibility.—If the occupant of a dwelling shall fail to comply with the provisions of this Act after due and proper notice from the Health Officer, such failure to comply shall be deemed sufficient cause for the eviction of such tenant by the owner and the cancellation of his lease.

§ 102. Registry of Owner's Name.—Every owner of a dwelling and every lessee of a whole multiple dwelling, or other person having control of a multiple dwelling, shall file with the Health Officer a notice containing his name and address, and also a description of the property, by street, number or otherwise as the case may be, in such manner as will enable the said Health Officer easily to find the same; and also the number of apartments in each multiple dwelling, the number of rooms in each apartment and the number of families occupying the apartments.

§ 103. Registry of Agent's Name.—Every owner, lessee or agent of a multiple dwelling may file with the Health Officer, a notice containing the name and address of an agent, residing in the city wherein the house is located, for the purpose of receiving service of process, in all actions herein provided for, and also a description of the property by street number or otherwise as the case may be, in such manner as will enable the Health Officer easily to find the same. The name of the owner or lessee may be filed as agent for this purpose.

§ 104. Service of Notice and Orders.—Every notice or order in relation to a dwelling shall be served five days before doing the thing in relation to which it shall have been issued. The posting of a copy of such notice or order in a conspicuous place in the dwelling, together with the mailing of a copy thereof on the same day that it is posted, to each per-

son, if any, whose name has been filed in accordance with the provisions of Sections 102 and 103 of this Act at his address as therewith filed shall be sufficient service thereof.

§ 105. Service of Summons.—In any action brought by the Health Officer, in relation to a dwelling, for injunction, vacation of the premises or abatement of nuisance, or to establish a lien thereon, it shall be sufficient service of the summons to serve the same as notices and orders are served under the provisions of the last paragraph; provided that a copy of the summons shall also be delivered to the agent, if any, whose name and address have been filed in accordance with the provisions of Section 103 of this Act, or to a person of proper age at such address, if upon reasonable application admittance can be obtained and such person found; and provided also, that personal service of the summons upon the owner of such dwelling shall be sufficient service thereof upon him.

§ 106. Indexing Names.—The names and addresses filed in accordance with Sections 102 and 103 shall be indexed by the Health Officer in such a manner that all of those filed in relation to each dwelling shall be together and readily ascertainable. The proper city authorities shall provide the necessary books and clerical assistance for that purpose and the expense thereof shall be paid by the city. Said indexes shall be public records open to public inspection during business hours.

§ 107. Enforcement.—The provisions of this Act shall be enforced in each municipality by the Health Officer, except that the department of buildings, where such department exists in a municipality shall enforce the provisions herein contained under the title "Fire Protection" and the provisions contained in Sections 61, 62, 63, 93 and 95 hereof. An action may also be brought and proceedings taken for the enforcement of this Act by any citizen of said city.

§ 108. Right of Entry.—The Health Officer and all inspectors, officers and employes and such other persons as may

be authorized by the Health Officer may without fee or hindrance enter, examine and survey all premises, grounds, erections, structures, apartments, dwellings, buildings and every part thereof in the city. The owner or his agent or representative and the lessee and occupant of every dwelling and every person having the care and management thereof shall at all reasonable times when required by any such officers or persons give them free access to such dwellings and premises. The owner of a dwelling and his agents and employes shall have right of access to such dwelling at reasonable times for the purpose of bringing about a compliance with the provisions of this Act or any order issued thereunder.

§ 109. Laws Repealed.—All statutes of the State and all local ordinances so far as inconsistent with the provisions of this Act, are hereby repealed. It is intended that this Act shall be valid to the fullest extent possible and that its invalidity, if any, in any feature, shall not render the remainder of it invalid or inoperative.

§ 109a. The provisions of this Act shall only apply to cities of the first class.

§ 110. When to take effect.—This Act shall take effect after its passage.

Dr. Gossett moved that said bill do lie on the table.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Hebron Lawrence	Chas. R. Scott
L. H. Ballard	Joseph Lazarus	W. P. Scott
H. H. Barnes	Rev. J. A. Lee	E. E. Shannon
S. M. Bennett	Elmer Lusby	S. G. Smith
Rodney G. Bryson	R. C. Marcum	R. Lee Stewart
Roy J. Cain	A. J. McCandless	Wm. A. Stewart
J. F. Carr	R. L. McFerron	John T. E. Stites
T. L. Caudel	Homer C. McLellen	Frank L. Strange
A. S. Cooper	Harry J. Meyers	J. Mack Thompson
J. S. Cruse	Claude D. Minor	Dr. D. J. Travis
J. B. Denués	Mack J. Morgan	C. B. Truesdell
B. J. Goehringer	John T. Murphy	John L. Trumbo
A. F. Hanberry	Estill W. Neel	Daniel Vose
Dr. W. L. Haynes	Chas. A. Nelson	J. S. Webb
D. J. Howard	S. C. Ray	Gladstone Wesley
Robt. Humphreys	B. A. Roth	W. N. Winn
Henry Kaufman	Dr. Lewis Ryans	—50

Those who voted in the negative were—

W. T. Carner	Frank Kennard	Dr. T. R. Welch
P. A. Day	W. L. Kimbrough	W. G. Wheeler
H. C. Duff	J. M. Knott	
Dr. W. L. Gossett	Dr. S. D. Laughlin	—10

Resolved, that the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was sent to the Senate by Mr. Roth.

Mr. Lawrence, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 202. An Act to amend an Act entitled, "An Act to amend Section 6 of the Act approved March 23, 1910, entitled, 'An Act to promote and compel attendance of children in schools; to prevent truancy in cities of the first, second, third and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children and for the purpose of reducing truancy,' being Chapter 121 of the Acts of 1916; and also to amend Sub-Section 7 of Section 2978c of the Kentucky Statutes (Edition of 1915) relating to the duties of truant officers.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 121 of the Acts of 1916 entitled, "An Act to amend Section 6 of the Act approved March 23, 1910, entitled, 'An Act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children and for the purpose of reducing truancy,' be amended by striking out of Section 6 of the Act of 1910, therein amended, the following provisions: "Such truant officer shall receive from the tax levy for school purposes of such cities not less than one dollar (\$1.00) nor more than three dollars (\$3.00) per day during such period of time as he may be employed by the school board" and by inserting in lieu thereof the following:

“The boards of education of such cities shall fix and determine the salary or compensation of such truant officer or officers and shall pay the same from funds received from city taxes levied and collected for school purposes.”

And further that said Act of 1916, amending said Section 6, be amended by adding after the words: “and his salary shall be fixed by the board of education,” the following: “and the truant officers appointed by said board, other than the chief truant officer, shall be called and known as “Supervisors of Attendance,” so that said Act, as herein amended, and said Section 6 to which it relates, shall read as follows:

“Section 6. In the first week of July in each year the board of education in each city of the first, second, third and fourth classes shall appoint at least one person for each fifteen thousand (15,000) children, enrolled in the school census, to serve as truant officers, whose term of office shall be during the pleasure of the board appointing him, who may be removed at any time by said board for cause, and whose duties shall be limited to the city where the appointment is made. If in any such city there shall be less than fifteen thousand (15,000) children enrolled in the school census, there shall be appointed, as above, one truant officer.

“Said truant officers shall be residents of the city in which they are appointed, and of good moral character. They must be able to read and write with ease. In cities of the first class such truant officers shall not engage in any other occupation during such period of time as the schools are in session each year.

“Before they shall be eligible for appointment, all applicants for the position of truant officer shall be examined by the superintendent of schools, who shall certify to the board of education only such persons qualified as herein provided.

“The board of education of such cities shall fix and determine the salary or compensation of such truant officer or

officers and shall pay the same from funds received from city taxes levied and collected for school purposes.

“In cities of the first class the board of education may appoint a chief truant officer in addition to the truant officer or officers herein provided for, or may designate one of the truant officers as provided for, as chief truant officer. Such chief truant officer shall be called the Director of Attendance, and his salary shall be fixed by the Board of Education, and the truant officers appointed by said board, other than the chief truant officer, shall be called and known as ‘Supervisors of Attendance.’ It shall be the duty of the Director of Attendance, under the general direction of the superintendent of city schools, to supervise, control and direct the work of all truant officers appointed in such city, to supervise, control and direct the taking of the school census when directed by the Board of Education, and to cause to be made and fully kept reports from all officers, principals and teachers, of the working of this Act, and he shall be directly charged with the duty of seeing that the provisions of this Act are complied with.

In cities of the second class the Board of Education may appoint a chief truant officer in addition to the truant officer or officers herein provided for, or may designate one of the truant officers as provided for, as chief truant officer, and shall be authorized to pay such chief truant officer a salary of not exceeding twelve hundred dollars (\$1,200.00) per year to be fixed by said board. It shall be the duty of the chief truant officer, under the general direction of the Superintendent of City Schools to supervise, control and direct the work of all truant officers appointed in such city. Such chief truant officer shall cause to be made and fully kept, reports from all truant officers, principals and teachers of the workings of this Act, and shall be directly charged with the duty of seeing that the provisions of the Act are complied with.”

§ 2. That Sub-Section 7 of Section 2978c of the Kentucky Statutes (Edition of 1915), be amended by striking therefrom the words: "such child as a delinquent child and against," and also by striking therefrom the words: "and for contributing to such condition of delinquency in such child," so that said Section 7, as herein amended, shall read as follows:

Duties of Truant Officer.—Truant officers shall examine into any case of truancy within the city or district, and when, from personal knowledge, or by report of complaint from any resident or teacher of the city or district it appears that any child, subject to the provisions of this Act, is absent from school without lawful excuse, and in violation of the provisions of this Act, or is persistently truant from school, the truant officer shall immediately give written notice to the parents, guardian or person having the custody, control or supervision of such child that the attendance of such child is required, and if such parent, guardian or person having the custody, control or supervision of such child does not comply immediately with the provisions of this Act, then such truant officer shall proceed against such parent, guardian or person having the custody, control or supervision of such child for violation of this Act. It shall be the duty of all truant officers to report all violations of the child labor law of which they have any knowledge. In cities having a chief truant officer, such reports shall be made to such chief truant officer and in cities having no chief truant officer such reports shall be made by truant officers to the superintendent of schools. All such violations aforesaid shall be promptly reported by the superintendent of schools or chief truant officer, as the case may be, to the labor inspector.

§ 3. All Acts or parts of Acts in conflict with this law are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	Dr. S. D. Laughlin	Lee Rogers
H. H. Barnes	Hebron Lawrence	B. A. Roth
S. M. Bennett	Joseph Lazarus	Dr. Lewis Ryans
J. M. Billiter	Rev. J. A. Lee	Chas. R. Scott
Roy J. Cain	Elmer Lusby	W. P. Scott
W. T. Carner	R. C. Marcum	E. E. Shannon
J. F. Carr	I. S. Mason	R. Lee Stewart
A. S. Cooper	A. J. McCandless	Frank L. Strange
P. A. Day	R. L. McFerron	John W. Swope
J. B. Denues	Homer C. McLellen	J. Mack Thompson
A. F. Hanberry	Harry J. Meyers	C. B. Truesdell
E. C. Hardin	Claude D. Minor	Daniel Vose
Dr. W. L. Haynes	Mack J. Morgan	A. M. Wash
D. J. Howard	John T. Murphy	J. S. Webb
Adam W. Huff	Estill W. Neel	Gladstone Wesley
Robt. Humphreys	Chas. A. Nelson	Dr. W. S. Yazell
Henry Kaufman	T. C. Pryse	
W. L. Kimbrough	S. C. Ray	

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Those who voted in the negative were—

Dr. W. L. Gossett	J. M. Knott	Dr. D. J. Travis
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Resolved, that the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was sent to the Senate by Mr. Kaufman.

Mr. Lawrence, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 125. An Act to amend and re-enact Section 4042a-12, Kentucky Statutes, Carroll's Edition, Vol. 3, 1918, relating to the manner of assessment of property for taxation and duties of Tax Commissioners.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4042a-12 of the Kentucky Statutes, Carroll's Edition, Vol. 3, 1918, be and the same is hereby amended and re-enacted so that the same as amended shall read as follows:

"The County Tax Commissioner of each county shall keep an office open at the county seat for the purpose of assessing property at all reasonable times (except Sundays and legal holidays) from the first day of July to the thirty-first day of October, inclusive, of each year.

"It shall be the duty of the Tax Commissioner to either see in person or by himself or deputy, to call at the residence or usual place of abode of all other taxpayers of his county during said time and there furnish a schedule and secure the assessment of the property of such taxpayer. If said taxpayer is not at his residence or usual place of abode at the time of such call, the commissioner or deputy shall leave a

written notice, together with a copy of the schedule. Said notice shall state that the commissioner or deputy has called for the purpose of assessing the property of the taxpayer. It shall then be the duty of the taxpayer to personally appear before the Tax Commissioner or deputy at an office herein required to be kept and list his property within the time herein provided for the assessment of property. Failure to respond in this manner to said notice after said call shall subject said taxpayer to a fine not exceeding fifty dollars.

“It shall be the duty of the Tax Commissioner and his deputies to see every taxpayer in person in his county who shall fail or refuse to list his property, and secure an assessment thereof.

“From the first day of November to the thirty-first day of December, inclusive, the County Tax Commissioner shall make up his assessment book and perform such other duties as may be required to obtain a fair and equitable assessment of the property in his county. Any taxpayer may, when he has a reasonable excuse for not assessing his property before the Tax Commissioner or his deputy as herein provided, appear before any person authorized to administer an oath and make the necessary affidavit required by the schedule as to the value of his property and may then return said schedule to the County Tax Commissioner and this shall be considered a compliance with the law in his particular case.”

Mr. Haynes offered the following amendment:

Amend by striking out lines 33, 34 and 35 of the printed bill.

Said amendment was disagreed to.

Mr. Haynes then moved that said bill do lie on the table.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was-read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	J. W. Johnson	Lee Rogers
S. M. Bennett	Henry Kaufman	B. A. Roth
J. M. Billiter	Frank Kennard	Chas. R. Scott
W. M. Boling	W. L. Kimbrough	W. P. Scott
Roy J. Cain	J. M. Knott	E. E. Shannon
W. T. Carner	Hebron Lawrence	Dr. B. F. Shields
J. F. Carr	Joseph Lazarus	S. G. Smith
A. S. Cooper	Rev. J. A. Lee	R. Lee Stewart
H. N. Dean	R. C. Marcum	Wm. A. Stewart
J. B. Denucs	R. L. McFerron	Dr. D. J. Travis
H. C. Duffy	Harry J. Meyers	C. B. Truesdell
J. M. Foster	Claude D. Minor	J. Wood Vance
Dr. T. H. Gamblin	John T. Murphy	Fred C. VanHoose
B. J. Goehringer	Chas. A. Nelson	Daniel Vose
A. F. Hanberry	T. C. Pryse	J. S. Webb
Talbert Holliday	B. F. Reynolds	Gladstone Wesley
Adam W. Huff	J. L. Richardson	R. E. Wilborn
Robt. Humphreys	Sherman Robbins	Dr. W. S. Yazell

Those who voted in the negative were—

Sidney Alfrey	Dr. S. D. Laughlin	Frank L. Strange
T. L. Caudel	Elmer Lusby	John W. Swope
B. L. Cox	A. J. McCandless	John B. Thomas
J. S. Cruse	Homer C. McLellen	J. Mack Thompson
P. A. Day	Mack J. Morgan	John L. Trumbo
Dr. W. L. Gossett	Estill W. Neel	A. M. Wash
E. C. Hardin	T. P. Oliver	Dr. T. R. Welch
Dr. W. L. Haynes	S. C. Ray	W. G. Wheeler
D. J. Howard	Dr. Lewis Ryans	W. N. Winn
Griffin Kelly	H. G. Skiles	

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Resolved, that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was sent to the Senate by Mr. Hudson.

A message was received from the Senate announcing that it had passed House Bill No. 445.

Ordered, that said bill be enrolled.

Mr. Bryson moved that today's session be indefinitely extended.

Said motion was agreed to.

Mr. Meyers moved that the House recess today at 12 m. until 2 p. m.

Said motion was agreed to.

Mr. Lawrence moved that the thanks of the House of Representatives be extended to the newspaper reporters, Mrs.

Mildred McCann Moss, Claud W. Perry, Robert D. Anderson, Robert E. Dundon, L. V. Armentrout, John Marsh, for their fair and accurate reports and comments upon the action of the present General Assembly.

Said motion was unanimously adopted.

Mr. Lawrence, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 19. An Act to amend and re-enact section twenty-eight hundred and thirty-four (2834) Carroll's Kentucky Statutes, Edition of 1915, being section seventy-one (71) of the Act entitled, "An Act for the government of cities of the first class," approved July 1, 1893.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section twenty-eight hundred and thirty-four (2834) of Carroll's Kentucky Statutes, Edition of 1915, being section seventy-one (71) of the Act entitled "An Act for the government of cities of the first class," approved July 1, 1893, be, and the same is hereby, amended and re-enacted so that the same shall read as follows:

Sec. 2834. Lien for Cost of Constructing Public Ways, Sidewalks, Wells and Cisterns—Passage of Ordinance. A lien shall exist for the cost of original improvement of public ways, for the construction and the reconstruction of sidewalks, and for the digging and walling of public wells and cisterns, for the apportionment and interest thereon at the rate of six per cent per annum against the respective lots. Payment may be enforced upon the property bound therefor by proceedings in court; and no error in the proceedings of

the general council shall exempt from payment after the work has been done as required by either the ordinance or contract; but the general council, or the courts in which suits may be pending, shall make all corrections, rules and orders to do justice to all parties concerned; and in no event, if such improvement be made as is provided for, either by ordinance or contract, shall the city be liable for such improvement, without the right to enforce it against the property receiving the benefit thereof; but no ordinance for any original improvement mentioned in this Act shall pass both boards of the general council at the same meeting, and at least two weeks shall elapse between the passage of any such ordinance from one board to the other. Provided, that whenever in any action to enforce such lien, it shall be pleaded by the owner of any property and the court shall find that the amount apportioned against the property is greater than seventy-five per cent of its value, the court shall determine what is seventy-five per cent of such value and adjudge a lien for that amount and interest, and the city shall pay the balance of the amount so apportioned out of the fund for general purposes.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	W. L. Kimbrough	Chas. R. Scott
H. H. Barnes	J. M. Knott	W. P. Scott
W. T. Beckham	Hebron Lawrence	E. E. Shannon
J. M. Billiter	Joseph Lazarus	Dr. B. F. Shields
Rodney G. Bryson	Rev. J. A. Lee	H. G. Skiles
Roy J. Cain	Elmer Lusby	S. G. Smith
J. F. Carr	R. C. Marcum	R. Lee Stewart
T. L. Caudel	I. S. Mason	Frank L. Strange
A. S. Cooper	A. J. McCandless	T. R. Stults
B. L. Cox	Harry J. Meyers	John W. Swope
P. A. Day	Claude D. Minor	John B. Thomas
H. N. Dean	Mack J. Morgan	J. Mack Thompson
J. B. Denues	John T. Murphy	J. H. Thompson
J. M. Foster	Estill W. Neel	Dr. D. J. Travis
Dr. T. H. Gamblin	Chas. A. Nelson	John L. Trumbo
B. J. Goehringer	T. C. Pryse	J. Wood Vance
E. C. Hardin	S. C. Ray	Fred C. VanHoose
Talbert Holliday	B. F. Reynolds	A. M. Wash
D. J. Howard	J. L. Richardson.	J. S. Webb
Adam W. Huff	Sherman Robbins	W. G. Wheeler
J. W. Johnson	B. A. Roth	R. E. Wilborn
Henry Kaufman	Dr. Lewis Ryans	Dr. W. S. Yazell

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Resolved, that the title thereof be as aforesaid.

Mr. Goehringer moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lawrence, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 321. An Act empowering the board of trustees of any graded common school district to condemn

any land deemed necessary by said board, not exceeding ten acres, for a site for a graded common school, and providing the manner in which said land may be condemned.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the board of trustees of any graded common school district shall have the right, when said board has been unable to contract with the owner of any land deemed necessary by said board for a site for a graded common school, to condemn said land; provided, that said board shall not have the power to acquire by condemnation exceeding ten acres.

§ 2. All condemnation proceedings herein provided for shall be conducted in the same manner as is provided by law for condemning land for railroad purposes.

§ 3. Whereas, there now exists cases where the board of trustees of graded common school districts have been unable to acquire the necessary land for school sites by contract; and whereas, by reason of such failure the districts affected are unable to furnish to the school children proper and adequate school facilities, an emergency is declared to exist, and this Act shall take effect from and after the date of its passage and approval by the Governor.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	W. L. Kimbrough	S. G. Smith
H. H. Barnes	J. M. Knott	R. Lee Stewart
S. M. Bennett	Dr. S. D. Laughlin	Frank L. Strange
Roy J. Cain	Hebron Lawrence	T. R. Stults
W. T. Carner	Joseph Lazarus	John W. Swope
J. F. Carr	Elmer Lusby	John B. Thomas
T. L. Caudel	I. S. Mason	J. Mack Thompson
A. S. Cooper	A. J. McCandless	J. H. Thompson
B. L. Cox	R. L. McFarron	Dr. D. J. Travis
J. S. Cruse	Harry J. Meyers	C. B. Truesdell
P. A. Day	John T. Murphy	John L. Trumbo
H. N. Dean	Estill W. Neel	J. Wood Vance
J. M. Foster	Chas. A. Nelson	Daniel Vose
E. C. Hardin	T. P. Oliver	A. M. Wash
D. J. Howard	S. C. Ray	J. S. Webb
Adam W. Huff	B. F. Reynolds	Dr. T. R. Welch
Robt. Humphreys	J. L. Richardson	Gladstone Wesley
J. W. Johnson	Dr. Lewis Ryans	W. G. Wheeler
Henry Kaufman	Chas. R. Scott	R. E. Wilborn
Griffin Kelly	E. E. Shannon	W. N. Winn
Frank Kennard	H. G. Skiles	Dr. W. S. Yazell

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Resolved, that the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senate Bills Nos. 19 and 231, passed by the House, were sent to the Senate by Mr. Hardin.

Mr. Lawrence, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 271. An Act to amend and re-enact sections three and four of the Act approved March 18th, 1912 (Chapter 112, Page 372, Acts of 1912) entitled: "An Act to repeal 'An Act providing for the creation, control, and disposition of a fund to be used in pensioning, under certain conditions, policemen, and the families of deceased policemen, in cities of the first class,' approved March 3, 1904, and to provide for the appointment of trustees and the raising or creation, the management and disbursement, of a fund to be employed in pensioning, under conditions provided, policemen and the families of deceased policemen in cities of the first class;" said sections three and four of said Act being subsections three and four of section 2872-a, Kentucky Statutes, Carroll's Edition of 1915.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section three of the Act approved March 18th, 1912, entitled: "An Act to repeal 'An Act providing for the creation, control, and disposition of a fund to be used in pensioning, under certain conditions, policemen, and the families of deceased policemen, in cities of the first class,' approved March 3, 1904, and to provide for the appointment of trustees and the raising or creation, the management and disbursement, of a fund to be employed in pensioning, under conditions provided, policemen and the families of deceased policemen in cities of the first class;" said sections three and four of said Act being subsections three and four of Section 2872-a, Kentucky Statutes, Carroll's Edition of 1915,—be amended by striking therefrom the words "nineteen hundred and thirteen" in the third and fourth lines of said section and substituting therefor the words "nineteen hundred and twenty-one;" and by striking therefrom the words "one cent" in the fourth line thereof and by substituting therefor, the

words, "two cents;" and by inserting therein the word "of" in the twenty-eighth line thereof immediately before the word "discipline;" and by re-enacting said section as thus amended, so that said section when so amended and re-enacted, shall read as follows, to-wit.:

"Section 3. There may be levied and set apart by the General Councils of all cities of the first class in this Commonwealth, for the year nineteen hundred and twenty-one a tax of not more than two cents on each one hundred dollars of value of taxable property in said cities for said year, as a fund for the pensioning as hereinafter provided, of members of the police department, and the families of deceased members thereof, in said cities, and a like tax may be levied and set apart for the same purpose for each succeeding year until said fund shall have reached the sum of three hundred thousand dollars as of date the first of September, preceding, in which event the levy of said tax shall cease; but should said fund thereafter, as of the first September in any year, fall below the sum of three hundred thousand dollars, then said tax may be levied for the next succeeding year and for each year thereafter until said fund shall have again reached the sum of three hundred thousand dollars as of the first of September immediately preceding the time of making the usual tax levy in said cities, it being one of the purposes of this Act to permit the amount of said fund to be kept at all times as near as possible to three hundred thousand dollars. All moneys withheld from officers, members, or employes of the police department as punishments for any breach of discipline, misconduct or violation of the rules and regulations of said department shall be paid into said fund each month and credited upon the payroll of the department, payable to said fund for that purpose, and all fines imposed by the Board of Public Safety upon officers, members or employes of the police department, by way of discipline, and collectible from pay or salary, shall be paid into the treasury to the credit of said fund. Such donations, together with the payments

aforesaid and the tax levy aforesaid, shall constitute and be kept as a fund to be called the Policemen's Pension Fund, and the board hereinbefore designated is hereby declared to be the trustee of said fund, and it shall have power and it shall be its duty, from time to time, to invest the same, in whole or in part, as it shall deem most advantageous, for the objects of the said fund; and it is empowered to take all necessary remedies in the premises."

§ 2. That section four of the aforesaid Act approved March 18th, 1912, be amended by inserting therein the words "not less than" immediately before the words "fifty cents" in the third line thereof; and by inserting the words "nor more than one dollar" immediately after the said words "fifty cents" in the third line thereof; and by re-enacting said section as thus amended, so that said section, as so amended and re-enacted, shall read as follows:

"Section 4. Said board shall have exclusive control and management of said fund, and may assess each member of the police department not less than fifty cents nor more than one dollar per month while he is such member, to be deducted and withheld from the pay of each member so assessed, the same to be placed by the Treasurer of each city of the first class to the credit of such fund, subject to the order of the board."

§ 3. That all Acts, or parts of Acts, inconsistent or in conflict herewith, are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	J. M. Knott	S. G. Smith
H. H. Barnes	Hebron Lawrence	R. Lee Stewart
W. T. Beckham	Joseph Lazarus	Frank L. Strange
S. M. Bennett	I. S. Mason	T. R. Stults
J. F. Carr	A. J. McCandless	John B. Thomas
T. L. Caudel	Harry J. Meyers	J. Mack Thompson
A. S. Cooper	Claude D. Minor	C. B. Truesdell
B. L. Cox	Mack J. Morgan	John L. Trumbo
J. S. Cruse	John T. Murphy	J. Wood Vance
P. A. Day	Estill W. Neel	Fred C. VanHoose
H. N. Dean	Chas. A. Nelson	Daniel Vose
J. M. Foster	T. P. Oliver	Geo. C. Waggoner
Dr. T. H. Gamblin	J. L. Richardson	A. M. Wash
Talbert Holliday	B. A. Roth	J. S. Webb
Adam W. Huff	Dr. Lewis Ryans	Gladstone Wesley
Robt. Humphreys	Chas. R. Scott	R. E. Wilborn
J. W. Johnson	W. P. Scott	Dr. W. S. Yazell
Henry Kaufman	E. E. Shannon	
Frank Kennard	Dr. B. F. Shields	

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Resolved, that the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lawrence, of the Committee on Rules, called up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 272. An Act to amend and re-enact sections three and four of the Act approved March 18, 1912 (Chapter 122, page 428, Acts of 1912) entitled: "An Act to

repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33, of an Act entitled, 'An Act to amend "an Act for the government of cities of the first class," approved July 1, 1893, for the better government, administration and disposition and discipline of the fire department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class;" said sections three and four of said Act being sub-sections seventeen and eighteen of Section 2896-a of the Kentucky Statutes, Carroll's Edition of 1915.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section three of the Act approved March 18, 1912, entitled: "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled: 'An Act to amend "An Act for the government of cities of the first class," approved July 1, 1893, for the better government, administration and disposition and discipline of the fire department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen

and the families of deceased firemen, in cities of the first class;" said sections three and four of said Act being subsections seventeen and eighteen of Section 2896-a of the Kentucky Statutes, Carroll's Edition of 1915, be, and the same is hereby amended by striking therefrom the words "nineteen hundred and thirteen" in the third line of said section, and substituting therefor the words "nineteen hundred and twenty-one;" by striking therefrom the words "one cent" in the fourth line thereof, and substituting therefor the words "two cents;" by striking therefrom in the seventeenth line thereof the words "nineteen hundred and twelve" and substituting therefor the words "nineteen hundred and twenty;" and by striking therefrom the words "one cent" in the twenty-second line thereof, and substituting therefor the words "two cents;" so that said section three of said Act, when so amended and re-enacted, shall read as follows, to-wit.:

"Section 3. There may be levied and set apart by the General Council of cities of the first class a tax for the year nineteen hundred and twenty-one, not exceeding two cents on each one hundred dollars of value of the taxable property in said cities for said year as a fund for the pensioning of crippled and disabled members of the fire department, and of the widows and dependent children under the age of fourteen years, and dependent fathers and mothers of deceased members of the fire department of said cities, and a like tax may be levied and set apart for the same purpose, for any succeeding year when the amount and value of property to the credit of the Firemen's Pension Fund falls below three hundred thousand dollars as of the date of the first of September preceding; that is, if during any year succeeding nineteen hundred and twenty, there shall be to the credit of the Firemen's Pension Fund on September 1, property and funds of less than three hundred thousand dollars, then the General Council of cities of the first class may levy and set apart for the year succeeding a tax of two cents on each one hundred dollars of value of the taxable property in said cities where

said condition occurs for said year as a fund for the purpose herein defined. And all moneys withheld from the officers, members or employes of the fire department as punishment for any breach of discipline, misconduct or violation of the rules and regulations for said department shall be paid into said fund each month and credited upon the payroll of the department, payable to said fund for that purpose; and all fines imposed by the Board of Public Safety upon officers, members or employes of the fire department, by way of discipline; and collectible from pay or salary, and all rewards, fees, proceeds of gifts and emoluments that may be paid or given on account of extraordinary service of any officer, member or employe of the fire department (except when specially allowed by the Board of Public Safety to be retained by such members) shall be paid into the treasury to the credit of the Firemen's Pension Fund. The payment so made, together with the tax levy aforesaid, shall constitute and be kept as a fund to be called the Firemen's Pension Fund, and the said board heretofore designated is hereby declared to be the trustees of said fund, and they shall have power, and it shall be their duty, from time to time, to invest the same, in whole or in part, as they shall deem advantageous for the objects of said fund, and they are empowered to make all necessary contracts in the premises."

§ 2. That section four of the aforesaid Act approved March 18, 1902, be, and the same is hereby, amended by incorporating therein the word "have" between the words "shall" and "exclusive" in the first line thereof; by inserting therein the words "not less than" immediately before the words "fifty cents" in the eighth line thereof; and by inserting therein the words "nor more than one dollar" immediately after the said words "fifty cents" in the eighth line thereof; and by re-enacting said section as thus amended, so that said section four of said Act, when so amended and re-enacted shall read as follows:

"Section 4. Said board shall have exclusive control and management of the said fund, and all moneys donated, paid,

or assessed for the relief or pensioning of disabled members of the fire department, their widows and dependent children under the age of fourteen years, or dependent fathers or mothers, and may assess each member and substitute of the fire department not less than fifty cents nor more than one dollar per month while he is a member or substitute of the department, to be deducted and withheld from the pay of each member or substitute so assessed, the same to be placed by the treasurer of each city to the credit of such fund, subject to the order of such board."

§ 3. That all Acts and parts of Acts inconsistent, or in conflict, herewith, are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Charles M. Ciarlo	J. M. Foster
L. H. Ballard	A. S. Cooper	B. J. Goehringer
H. H. Barnes	B. L. Cox	E. C. Hardin
W. T. Beckham	J. S. Cruse	Dr. W. L. Haynes
Roy J. Cain	P. A. Day	Talbert Holliday
J. F. Carr	H. N. Dean	D. J. Howard
T. L. Caudel	J. B. Denués	A. R. Hudson

Adam W. Huff	Chas. A. Nelson	Frank L. Strange
Robt. Humphreys	B. F. Reynolds	T. R. Stults
Henry Kaufman	J. L. Richardson	J. Mack Thompson
Frank Kennard	Lee Rogers	John L. Trumb
J. M. Knott	B. A. Roth	J. Wood Vance
Hebron Lawrence	Dr. Lewis Ryans	Fred C. VanHoose
Joseph Lazarus	W. P. Scott	Daniel Vose
R. C. Marcum	E. E. Shannon	Geo. C. Waggoner
I. S. Mason	Dr. B. F. Shields	Gladstone Wesley
A. J. McCandless	H. G. Skiles	R. E. Wilborn
Harry J. Meyers	R. Lee Stewart	Dr. W. S. Yazell
John T. Murphy	Wm. A. Stewart	—56

Resolved, that the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senate Bills Nos. 271 and 272, passed by the House, were sent to the Senate by Mr. Roth.

The amendment proposed by the House to Senate Bill No. 160 was certified by the Chief Clerk and sent to the Senate by Mr. Roth.

Mr. Murphy offered the following resolution:

Whereas, The Congress of the United States, in the days of Henry Clay and Daniel Webster, passed a strong resolution, expressing, at that time, our country's sympathy for Greece, in its struggle for freedom; and our Congress, when Ireland was suffering from famine, in 1880, and when Charles Stewart Parnell was personally calling for help in America, again expressed its sympathy for Ireland, and our people cheerfully responded in words and in deeds; and

Whereas, The Irish people, at the solicitation of Benjamin Franklin and Henry Grattan, expressed their sympathy for us in our Revolutionary War, and gave our forefathers not only sympathy but material help; and

Whereas, In the late war in Europe, we took the part of all nations struggling to be free, for the purpose of making democracy safe in the world, as President Wilson frequently declared in our Congress, and assured the people of all small nations eager to be free, and as all of them so far have been thus encouraged and aided by us excepting only Ireland, and the Congress of the United States has already expressed its sympathy for Ireland in its aspirations for freedom;

Therefore, Be it resolved by the House of Representatives, that we now express our sympathy for Ireland in its efforts to attain its long cherished desire to enjoy the liberties we enjoy, and to take its place among the other free nations of the world, as even smaller countries long ago had done, and some have lately done, and there is no good reason why Irishmen should not have the same freedom enjoyed by Switzerland, Belgium, Holland, Servia and Poland, when even mixed races have been erected into new free states, and it would not be in keeping with the principles and the boasts of the greatest republic in the world to withhold its sympathy from a people who have contributed so much to America in peace and in war.

Said resolution was adopted.

Mr. Minor offered the following resolution:

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the following be spread upon the journal of said House of Representatives in memorium of "Old Ring," whose indictment was sustained by and upon whom sentence was issued by the Senate of the 1920 session of the Commonwealth of Kentucky, on March 16th, 1920, said "Old Ring" in the

eyes of the law now being an outcast, an outlaw and roamer at large, even though it is commonly known that said "Old Ring" is the most loyal and unbiased friend of man.

TO OLD RING.

Helpless and dumb and void of defense;
Bemeaned and praised, full of love and offense;
Indicted for wrong and vice without end,
Yet truer to man than any other friend.

An outlaw, a cut-throat, a murderer and all,
In the eyes of his enemies, both large and small,
Yet a brother, a companion, his exponents say,
A guard in the night, a watch in the day.

A target for statesmen in assembly august,
A subject to tax, which he bears in disgust;
Defended by Dean with vehemence and'zeal,
Who spoke from his heart, with the purity of steel.

Bemeaned, defended, indicted and fought,
Recipient of eulogy which he ne'er sought;
And 'though an outlaw, his praises we sing,
For the truest of friends is old friend Ring.

Mr. Dean offered the following amendment:

Amend House Resolution No. 49, by adding thereto:

Old Ring knows his friends and will never forget his enemies. He knows those who, loving him, are willing to fight for him, and those who, though they praise him in public, are willing to chain him at night and brand him as an outlaw. He remembers those who have remembered him; he is grateful for every kindness, but he will not forget the hand that strikes him, the heel that smites him, or the Democratic party which has refused to give him freedom.

Said amendment was agreed to.

Then said resolution was adopted.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills and resolutions of the following titles, viz.:

House Bill No. 512, entitled, an Act to amend and reenact Section 4527, Kentucky Statutes, Carroll's 1918 Edition.

House Bill No. 195, entitled, an Act providing for oiling of the streets and alleys of cities of the fourth and fifth classes of this Commonwealth.

House Bill No. 296, entitled, an Act to amend Section 4535f-1, Kentucky Statutes, Carroll's Edition, 1915, and relating to the State inspectors and examiners of schools.

House Bill No. 312, entitled, an Act providing for the supervision and equalization of the assessment of property in a county in cases where a county or any part thereof is reassessed under the directions of the State Tax Commission.

House Bill No. 314, entitled, an Act requiring all warehouse companies and persons, firms and corporations furnish storage for personal property to make a report to the County Tax Commissioner giving information for assessment purposes and providing how such reports shall be prepared and furnished, and how and by whom the taxes based upon such reports shall be paid, and fixing penalties.

House Bill No. 304, entitled, an Act to continue the existence of the Kentucky Council of Defense for the sole purpose of completing the work of gathering, arranging and preserving the history of Kentucky's part in the World War, and making an appropriation for that work.

House Bill No. 336, entitled, an Act to amend and reenact Section 21 of Chapter 1 of title 3, of the Kentucky Code of Civil and Criminal Practice.

House Bill No. 408, entitled, an Act providing for a State Tuberculosis Sanitarium, making appropriations therefor, providing for State ownership of lands acquired, and providing regulations for the control of such institution and for the prevention and relief of tuberculosis.

House Bill No. 475, entitled, an Act providing for the erection of monuments in the various counties of this Commonwealth in honor of soldiers, sailors, marines and Red Cross nurses who died in the recent war with Germany and Austria-Hungary; appropriating money therefor, providing land for such purposes and manner and method in which monuments are to be erected.

House Bill No. 491, entitled, an Act relating to the number of ballots to be printed and furnished by the county court clerks of this Commonwealth in all primary elections and in all general elections at and in which women are entitled to vote.

House Resolution No. 43, entitled, Resolution commending Susannah Hart Shelby Chapter, National Society of Daughters of the American Revolution.

House Resolution No. 45, entitled, Joint Resolution directing payment of fee and expenses of attorney of the committee which investigated certain features of the Feeble-Minded Institute at Frankfort.

Whereupon all other business was suspended, said bills and resolutions were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills and resolutions.

Ordered, that the Enrolling Clerk deliver said bills and resolutions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills and resolutions which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills and resolutions which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Then the House, at 12 m., took a recess until 2 p. m.

AFTERNOON SESSION.

The House reconvened at 2 p. m.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 141. An Act to amend and re-enact Sections 4282 and 4283 of the Kentucky Statutes, Carroll's Edition of 1918.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4282 be amended by adding after the word mule, in the third line thereof the words "automobile, or motor truck, either propelled by gasoline or electricity," and said section as so amended shall read as follows:

"That if any person shall arrest or directly or immediately cause the arrest of any person guilty of stealing a horse or mule, or automobile or motor truck, propelled by gasoline or electricity within this Commonwealth, and shall

secure the indictment and conviction of such person in a court of competent jurisdiction or shall deliver such person so arrested to a court having jurisdiction of said charge, and if the court, or any one to whom the person arrested shall be sent for trial, shall permit said person to give bond with security, for his future appearance in said court, and said bond shall be forfeited and collected, the person so securing the conviction or delivery, shall be entitled to a reward of fifty dollars."

§ 2. That Section 4283 be amended by adding after the word "mule" in the third line thereof the words "or automobile, or motor truck, either propelled by gasoline or electricity," and said section as so amended will read as follows:

"It shall be the duty of such person so securing the arrest and conviction or delivery of any person guilty of stealing any horse or mule, or automobile, or motor truck, propelled by gasoline or electricity, if he desires said reward, to apply to a court in which the accused is convicted, or bond forfeited for same, and if the court is satisfied from the testimony taken that the person applying for such reward has in good faith arrested or directly or immediately caused the arrest and conviction or delivery of a person guilty of horse or mule, or automobile or motor truck, propelled by gasoline or electricity, stealing, he shall cause to be entered on the record a judgment stating the name of the person entitled to the reward, and for what the reward is granted and the amount thereof; should it appear that a peace officer had made the arrest, and in the opinion of the judge of the court is entitled to all or any part of the reward, the judgment shall show what part he is entitled to, and the person so allowed such reward, upon the production to the Auditor of Public Accounts, of a transcript of said order, under the official signature and seal of the clerk of the court where the conviction or forfeiture is had, shall receive from said Auditor his warrant upon the Treasurer for the amount thereof."

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Henry Kaufman	W. P. Scott
L. H. Ballard	Griffin Kelly	H. G. Skiles
J. M. Billiter	W. L. Kimbrough	R. Lee Stewart
Rodney G. Bryson	J. M. Knott	Wm. A. Stewart
Roy J. Cain	Joseph Lazarus	T. R. Stults
W. T. Carner	I. S. Mason	John B. Thomas
T. L. Caudel	A. J. McCandless	J. Mack Thompson
Charles M. Ciarlo	R. L. McFerron	C. B. Truesdell
A. S. Cooper	Homer C. McLellen	John L. Trumbo
B. L. Cox	Harry J. Meyers	Daniel Vose
P. A. Day	Claude D. Minor	Geo. C. Waggoner
H. N. Dean	Mack J. Morgan	A. M. Wash
Dr. T. H. Gamblin	John T. Murphy	J. S. Webb
B. J. Goehringer	Chas. A. Nelson	Dr. T. R. Welch
Dr. W. L. Gossett	B. F. Reynolds	Gladstone Wesley
A. L. Hamilton	J. L. Richardson.	W. G. Wheeler
E. C. Hardin	Lee Rogers	W. N. Winn
Talbert Holliday	B. A. Roth	Dr. W. S. Yazell
D. J. Howard	Dr. Lewis Ryans	
R. O. Huntsman	Chas. R. Scott	

Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 80. An Act to repeal and re-enact Section 495 of Chapter 14 of the Civil Code of Practice, of the State of Kentucky, Carroll's Edition, 1919, relating to dower—sale of and compensation for.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 495 of Chapter 14 of the Civil Code of Practice, Carroll's 1919 Edition, be and the same is hereby repealed, and the following is enacted in lieu thereof:

If a woman has a vested or contingent right to dower in land ordered to be sold pursuant to the provisions of this chapter, she shall be made a party to the action brought to sell such land, and if she make no defense thereto the court shall order the land sold free from her right: If she make defense thereto the court may order the land sold subject to her right or may order a sale of same free from her right, and if the court order same sold free from her right it shall provide for a reasonable compensation to her out of the proceeds of said sale; or that she shall have the same right in property purchased with the proceeds as she had in the property sold.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. H. Barnes	Henry Kaufman	S. G. Smith
W. T. Beckham	J. M. Knott	R. Lee Stewart
J. M. Billiter	Hebron Lawrence	Wm. A. Stewart
Roy J. Cain	Rev. J. A. Lee	T. R. Stults
W. T. Carner	Elmer Lusby	John B. Thomas
Charles M. Ciarlo	R. C. Marcum	J. Mack Thompson
A. S. Cooper	R. L. McFerron	C. B. Truesdell
B. L. Cox	John T. Murphy	John L. Trumbo
J. S. Cruse	Estill W. Neel	Fred C. VanHoose
H. N. Dean	Chas. A. Nelson	Daniel Vose
J. M. Foster	T. P. Oliver	A. M. Wash
Dr. T. H. Gamblin	J. L. Richardson	J. S. Webb
A. L. Hamilton	Lee Rogers	Dr. T. R. Welch
E. C. Hardin	Chas. R. Scott	Gladstone Wesley
Talbert Holliday	W. P. Scott	W. N. Winn
D. J. Howard	E. E. Shannon	Dr. W. S. Yazell
R. O. Huntsman	H. G. Skiles	

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Those who voted in the negative were—

L. H. Ballard	T. L. Caudel	A. J. McCandless
Rodney G. Bryson	A. R. Hudson	Harry J. Meyers

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Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senate Bills Nos. 141 and 80, passed by the House, were sent to the Senate by Mr. Bryson.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 366. An Act amending Sub-section 1 of Section 3643, Kentucky Statutes (Carroll's 1915 Edition), by eliminating from said section the words "The cost of constructing or re-constructing the intersection or crossing of streets, avenues and highways shall be at the expense of the city."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sub-section 1 of Section 3643, Kentucky Statutes (Carroll's 1915 Edition), be and the same is hereby amended, by eliminating the sentence, "The cost of constructing or re-constructing the intersection or crossing of streets, avenues and highways shall be at the expense of the city," so that said sub-section, when amended, shall read as follows:

"Section 3643. 1. Public Ways—Cost of Improving—Ten Year Plan—Assessments—Lien—Street Improvement Fund.—The city council is hereby authorized and empowered to order any work they may deem necessary to be done upon the sidewalks, curbing, sewer, streets, avenues, highways, and public places of such city. The expenses incurred in making and repairing sidewalks and curbing shall be paid by the owners of the lands fronting and abutting thereon, each lot or portion of lot being separately assessed for the full value thereof, in proportion to the frontage thereof to the entire length of the whole improvement, not exceeding a square, suf-

ficient to cover the total expense of the work; but the owners of such property shall have the right to make such improvements, if they prefer doing so, instead of paying for the same. The cost and expenses incurred in constructing or reconstructing streets, avenues, highways, sewers and public places shall be paid out of a general fund of the city or by the owners of the land fronting and abutting thereon, as the city council may in each case determine; or the city council may order and direct that two-thirds only of said cost and expenses so incurred shall be paid by the owners of the lands fronting and abutting said improvements and the other one-third paid by the city; but the local assessments shall not exceed fifty per centum of the value of the ground after such improvement is made, excluding the value of the buildings and other improvements upon the property so improved.

“Each subdivision or territory bounded on all sides by principal streets shall be deemed a square. When the territory contiguous to any public way is not defined into squares on either or both sides by principal streets the ordinance providing for the improvement for such public ways shall be the depth on the side or sides not defined in the square fronting said improvement, to be assessed for the cost of making the same, according to the number of square feet owned by the parties, respectively, within the depth set out by ordinance.”

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed,

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	Frank Kennard	Chas. R. Scott
H. H. Barnes	W. L. Kimbrough	W. P. Scott
W. T. Beckham	J. M. Knott	E. E. Shannon
J. M. Billiter	Hebron Lawrence	Dr. B. F. Shields
Roy J. Cain	Joseph Lazarus	R. Lee Stewart
W. T. Carner	Elmer Lusby	Wm. A. Stewart
J. F. Carr	R. C. Marcum	T. R. Stults
T. L. Caudel	A. J. McCandless	John B. Thomas
Charles M. Ciarlo	R. L. McFerron	J. Mack Thompson
A. S. Cooper	Homer C. McLellen	C. B. Truesdell
B. L. Cox	Harry J. Meyers	John L. Trumbo
P. A. Day	Mack J. Morgan	J. Wood Vance
H. N. Dean	John T. Murphy	Fred C. VanHoose
Dr. W. L. Gossett	Estill W. Neel	Daniel Vose
E. C. Hardin	Chas. A. Nelson	A. M. Wash
D. J. Howard	B. F. Reynolds	J. S. Webb
Adam W. Huff	Lee Rogers	Dr. T. R. Welch
R. O. Huntsman	J. L. Richardson	Gladstone Wesley
Griffin Kelly	B. A. Roth	Dr. W. S. Yazell

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There voted in the negative—

Dr. T. H. Gamblin

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Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was sent to the Senate.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 138. An Act to amend and re-enact Chapter 162 of 1918 Acts of the Kentucky Legislature, which is an amendment to Section 4023 of the Kentucky Statutes, Carroll's Edition, 1915, relating to revenue and taxation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 162 of the 1918 Acts of the General Assembly, which is an amendment to Section 4023 of the Kentucky Statutes, Carroll's Edition, 1915, relating to revenue and taxation, be amended by adding to the end of said chapter the following words: "And provided that if the property be sold before February 1st of the year in which taxes are due and payable, then, as between the purchaser and the seller, and in absence of any contract to the contrary, it shall be the duty of the purchaser of the property to pay the taxes thereon; and if the property is sold after February 1st in the year in which taxes are due and payable, it shall be the duty of the seller to pay the taxes thereon." Said section, when amended and re-enacted, shall read as follows:

"The holder of the legal title, and the holder of the equitable title, and the claimant or bailee in possession of the property on the first day of July of the year the assessment is made, shall be liable for taxes thereon; but, as between themselves, it shall be the duty of the holder of the equitable title to list the property and pay the taxes thereon, whether the property be in possession or not at the time of payment; Provided, however, that an administrator, executor, trustee, committee, curator or agent residing in the State shall not be liable for taxes on intangible property, where the real or beneficial owner of such intangible personal property, held by them or any of them, resides outside of the State; but this exemption shall not apply in the case of an executor or administrator in the exercise of his office as personal repre-

sentative while the estate of a deceased person is in process of settlement and before the share of the non-resident legatee or beneficiary is set apart to him, or before said legatee is entitled to be paid his share.

And provided, that if the property be sold before February 1st of the year in which taxes are due and payable, then, as between the purchaser and the seller, and in absence of any contract to the contrary, it shall be the duty of the purchaser of the property to pay the taxes thereon; and if the property is sold after February 1st in the year in which taxes are due and payable, it shall be the duty of the seller to pay the taxes thereon."

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. T. Beckham	Dr. S. D. Laughlin	B. A. Roth
J. F. Carr	Hebron Lawrence	W. P. Scott
T. L. Caudel	I. S. Mason	E. E. Shannon
A. S. Cooper	A. J. McCandless	John T. E. Stites
B. L. Cox	Claude D. Minor	T. R. Stults
B. J. Goehringer	John T. Murphy	John L. Trumbo
A. L. Hamilton	Estill W. Neel	Geo. C. Waggoner
D. J. Howard	Chas. A. Nelson	
R. O. Huntsman	Lee Rogers	

Those who voted in the negative were—

L. H. Ballard	Robt. Humphreys	H. G. Skiles
Roy J. Cain	Griffin Kelly	R. Lee Stewart
Charles M. Ciarlo	Frank Kennard	John B. Thomas
J. S. Cruse	W. L. Kimbrough	J. Mack Thompson
P. A. Day	J. M. Knott	Dr. D. J. Travis
H. N. Dean	R. L. McFerron	Daniel Vose
J. M. Foster	Harry J. Meyers	A. M. Wash
Dr. T. H. Gamblin	Mack J. Morgan	J. S. Webb
Dr. W. L. Gossett	T. P. Oliver	W. G. Wheeler
E. C. Hardin	B. F. Reynolds	Dr. W. S. Yazell
Dr. W. L. Haynes	Chas. R. Scott	
Talbert Holliday	Dr. B. F. Shields	

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So said bill was defeated.

Mr. Huntsman moved that the vote by which said bill was defeated be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed House Bill No. 546 with an amendment by way of substitute therefor.

Said substitute is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That Section 2740 and Section 2741 of Kentucky Statutes, Carroll's revised edition, 1918, entitled, "Classification of Cities and Towns," be amended by striking from "Cities of the Fourth Class" the words "Corbin, Whitley and Knox County," and adding after the words "Maysville, Mason County, in cities of the third class," the words "Corbin, Whitley and Knox County," and by striking from the "Cities of the Fifth Class," the words, "Scottsville, Allen County; Earlington, Hopkins County; Olive Hill, Car-

ter County; Irvine, Estill County; Marion, Crittenden County; Clifton, Campbell County," and by inserting the said words, in the "Cities of the Fourth Class" after the words "Hickman, Fulton County," and adding thereto the additional words "Fort Thomas, Campbell County," and by inserting in "Cities of the Fifth Class" after the words "Helier, Pike County," the additional words, "Perryville, Boyle County; Wilmore, Jessamine County and Greenup, Greenup County, and Horse Cave, Hart County," so that when amended and re-enacted shall read as follows: Classification of Cities and Towns.—The cities and towns of the Commonwealth are classified as follows, to-wit.:

First Class—Louisville, Jefferson County.

Second Class—Lexington, Fayette County; Covington, Kenton County; Newport, Campbell County; Paducah, McCracken County.

Third Class—Owensboro, Daviess County; Henderson, Henderson County; Frankfort, Franklin County; Bowling Green, Warren County; Middlesboro, Bell County; Hopkinsville, Christian County; Ashland, Boyd County; Maysville, Mason County; Corbin, Whitley and Knox Counties.

Fourth Class—Shelbyville, Shelby County; Richmond, Madison County; Winchester, Clark County; Dayton, Campbell County; Paris, Bourbon County; Catlettsburg, Boyd County; Danville, Boyle County; Mt. Sterling, Montgomery County; Georgetown, Scott County; Versailles, Woodford County; Harrodsburg, Mercer County; Bellevue, Campbell County; Cynthiana, Harrison County; Mayfield, Graves County; Lebanon, Marion County; Ludlow, Kenton County; Nicholasville, Jessamine County; Pineville, Bell County; Madisonville, Hopkins County; Princeton, Caldwell County; Fulton, Fulton County; Lawrenceburg, Anderson County; Russellville, Logan County; Carrollton, Carroll County; Central City, Muhlenburg County; Franklin, Simpson County; Barboursville, Knox County; Providence, Webster County; Morganfield, Union County; Pikeville, Pike County; Somer-

set, Pulaski County; Murray, Calloway County; Harlan, Harlan County; Elizabethtown, Hardin County; Jackson, Breathitt County; Hazard, Perry County; Highland Park, Jefferson County; Hickman, Fulton County; Scottsville, Allen County; Earlington, Hopkins County; Olive Hill, Carter County; Irvine, Estill County; Marion, Crittenden County; Clifton, Campbell County, Fort Thomas, Campbell County.

Fifth Class—Lancaster, Garrard County; Cadiz, Trigg County; Grand River, Livingston County; Greenville, Muhlenberg County; Louisa, Lawrence County; Columbus, Hickman County; Glasgow, Barren County; Cloverport, Breckenridge County; Bardstown, Nelson County; Augusta, Bracken County; Stanford, Lincoln County; Williamsburg, Whitley County; Clinton, Hickman County; Midway, Woodford County; Flemingsburg, Fleming County; Vanceburg, Lewis County; Elkton, Todd County; Falmouth, Pendleton County; Carlisle, Nicholas County; Uniontown, Union County; Campbellsville, Taylor County; Hawesville, Hancock County; Eminence, Henry County; Eddyville, Lyon County; Leitchfield, Grayson County; Owingsville, Bath County; Sebree, Webster County; Clay, Webster County; Wickliffe, Ballard County; Morehead, Rowan County; Bardwell, Carlisle County; Sturgis, Union County; Dawson Springs, Hopkins County; Millersburg, Bourbon County; Calhoun, McLean County; Springfield, Washington County; Corydon, Henderson County; Hartford, Ohio County; Mortons Gap, Hopkins County; Livermore, McLean County; Oakdale, Jefferson County; Beattyville, Lee County; Owenton, Owen County; Burnsides, Pulaski County; Prestonsburg, Floyd County; Warsaw, Gallatin County; Monticello, Wayne County; Berea, Madison County; LaGrange, Oldham County; Guthrie, Todd County; Russell, Greenup County; Hustonville, Lincoln County; Drakesboro, Muhlenberg County; Tompkinsville, Monroe County; Helier, Pike County; Perryville, Boyle County; Wilmore, Jessamine County; Greenup, Greenup County, Horse Cave, Hart County, and Brooksville, Bracken County.

Section 2741, Sixth Class—All other incorporated cities and towns not named in this bill shall belong to the Sixth Class, provided that all officers now holding office in any of the cities changed from a class other than they were at the time such officers were elected will hold their office until the term for which they were elected has expired and until their successor has been elected and qualified.

Whereas, it is necessary for the assigned cities mentioned herein to make their tax levy for this year under the charter of the town to which they are assigned, an emergency is hereby declared to exist and this Act shall take effect and be in full force and effect from and after its passage and approval by the Governor.

Mr. McLellen moved that the amendment by way of substitute be concurred in.

Said motion was agreed to, and said amendment was concurred in.

Mr. Vose moved that the vote by which said amendment was concurred in be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. H. Barnes	D. J. Howard	W. P. Scott
W. T. Beckham	W. L. Kimbrough	E. E. Shannon
S. M. Bennett	J. M. Knott	Dr. B. F. Shields
Rodney G. Bryson	Dr. S. D. Laughlin	H. A. Spillman
Roy J. Cain	Hebron Lawrence	R. Lee Stewart
W. T. Carner	Rev. J. A. Lee	T. R. Stults
T. L. Caudel	Elmer Lusby	John B. Thomas
A. S. Cooper	R. C. Marcum	J. Mack Thompson
B. L. Cox	A. J. McCandless	C. B. Truesdell
J. S. Cruse	R. L. McFerron	John L. Trumbo
P. A. Day	Harry J. Meyers	Daniel Vose
J. M. Foster	Claude D. Minor	Geo. C. Waggoner
Dr. T. H. Gamblin	John T. Murphy	A. M. Wash
B. J. Goehringer	T. P. Oliver	J. S. Webb
Dr. W. L. Gossett	J. L. Richardson	Gladstone Wesley
E. C. Hardin	Lee Rogers	Dr. W. S. Yazell
Dr. W. L. Haynes	B. A. Roth	
Talbert Holliday	Chas. R. Scott	

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Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

The action of the House in concurring in the Senate amendment by way of substitute to House Bill No. 546 was certified by the Chief Clerk and sent to the Senate by Mr. McLellen.

Mr. Lawrence offered the following resolution:

Be it resolved by the House of Representatives that we extend our deepest sympathy to Rev. Sherman Robbins and wife in their great sorrow and bereavement in the recent death of their son-in-law, Charles Derkson.

Be it further resolved that a copy of this resolution be sent to Rev. Mr. Robbins and his wife.

Said resolution was adopted.

Mr. Richardson called up for consideration from the Orders of the Day a bill entitled:

House Bill No. 382. An Act requiring railroad companies operating by steam or otherwise as common carriers of passengers, to furnish separate toilets and other private conveniences for male and female passengers in all coaches wherein male and female passengers are permitted or required to be transported as passengers, in all cases where the distance over which said carrier operates shall be ten miles or more.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any railroad company or corporation, person or persons, running or otherwise operating railroad cars or coaches, by steam or otherwise, on any railroad line or track within this State, and all railroad companies, person or persons, operating railroad lines that may hereafter be built under existing charters, or charters that may hereafter be granted in this State; and all foreign corporations, companies, person or persons, organized under charters granted, or that may be hereafter granted, by any other State who

may be now, or may hereafter be, engaged in running or operating any of the railroads of this State, either in part or whole, either in their own name or that of others, where the distance to be traversed by said coach or coaches in one direction is ten miles or more, are hereby required to furnish separate toilets, private accommodations and conveniences for male and female passengers traveling on said trains or coaches.

§ 2. Any railroad company, corporation, person or persons running or otherwise operating railroad cars or coaches, by steam or otherwise, who shall violate Section 1 of this Act shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) for each and every violation thereof, and each violation of Section 1 hereof shall be considered a separate offense and an independent violation of this Act.

Ordered, that said bill be read the third time.

Mr. Richardson moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Rodney G. Bryson	T. L. Caudel
L. H. Ballard	Roy J. Cain	A. S. Cooper
H. H. Barnes	W. T. Carner	B. L. Cox
W. T. Beekham	J. F. Carr	J. S. Cruse

P. A. Day	Elmer Lusby	H. G. Skiles
H. N. Dean	R. C. Marcum	R. Lee Stewart
J. B. Denues	I. S. Mason	Wm. A. Stewart
Dr. T. H. Gamblin	A. J. McCandless	T. R. Stults
B. J. Goehringer	R. L. McFerron	John B. Thomas
E. C. Hardin	Homer C. McLellen	J. Mack Thompson
Dr. W. L. Haynes	Harry J. Meyers	Dr. D. J. Travis
R. O. Huntsman	Claude D. Minor	C. B. Truesdell
Henry Kaufman	Chas. A. Nelson	Fred C. VanHoose
Frank Kennard	T. P. Oliver	Daniel Vose
W. L. Kimbrough	J. L. Richardson.	A. M. Wash
J. M. Knott	Lee Rogers	Gladstone Wesley
Dr. S. D. Laughlin	B. A. Roth	W. N. Winn
Hebron Lawrence	Dr. Lewis Ryans	Dr. W. S. Yazell
Joseph Lazarus	Chas. R. Scott	
Rev. J. A. Lee	W. P. Scott	

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The Speaker announced that it was too late for said bill to be passed by the Senate and said bill was not sent to that body.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 140. An Act to require sign boards or index boards to be placed on the public highway in certain counties of this Commonwealth, and providing expenses therefor.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be the duty of the County Road Engineer of all county roads, of the various counties of this Commonwealth, when authorized or ordered by the Fiscal Court of such county so to do, to cause to be erected and

placed in a suitable position at the intersection of roads where they intersect inter-county seat roads, or public roads leading from one county seat to another, sign boards, or index boards, which shall have painted upon them in letters and figures sufficiently large to be read for a distance of forty feet, giving the number of miles to the respective county seats from such intersection, and an index hand painted thereon, pointing in the direction of the respective county seat indicating the number of miles from said sign post to such county seat. Said sign and index boards are not to be placed closer than five miles apart.

§ 2. In the event that such a road engineer shall wilfully fail or neglect to comply with the provisions of this Act, for a period of sixty days after the Fiscal Court of any county has ordered the boards to be erected, as herein provided, he shall be fined in any sum not more than \$25.00.

§ 3. All expense connected with the erection of said sign posts and index boards is to be paid by the fiscal court out of the county levy.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. H. Barnes	Griffin Kelly	W. P. Scott
W. T. Beckham	Frank Kennard	Dr. B. F. Shields
S. M. Bennett	W. L. Kimbrough	H. G. Skiles
J. M. Billiter	J. M. Knott	S. G. Smith
Roy J. Cain	Hebron Lawrence	R. Lee Stewart
W. T. Carner	Joseph Lazarus	Wm. A. Stewart
J. F. Carr	Rev. J. A. Lee	Frank L. Strange
T. L. Caudel	Elmer Lusby	John B. Thomas
A. S. Cooper	I. S. Mason	J. Mack Thompson
B. L. Cox	A. J. McCandless	Dr. D. J. Travis
J. B. Denues	R. L. McFerron	C. B. Truesdell
Dr. T. H. Gamblin	Homer C. McLellen	John L. Trumbo
B. J. Goehringer	Harry J. Meyers	Fred C. VanHoose
J. W. Geveden	Claude D. Minor	Daniel Vose
A. L. Hamilton	John T. Murphy	Geo. C. Waggoner
A. F. Hanberry	Chas. A. Nelson	A. M. Wash
E. C. Hardin	T. P. Oliver	Gladstone Wesley
Dr. W. L. Haynes	J. L. Richardson.	W. N. Winn
D. J. Howard	Lee Rogers	Dr. W. S. Yazell
Robt. Humphreys	B. A. Roth	
R. O. Huntsman	Chas. R. Scott	

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Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 312. An Act to give credit to defendants on terms of imprisonment in the county jail or penitentiary who have been convicted in the Circuit Court and where confined in the county jail after an examining trial and unable to give bail.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That in all trials in the Circuit Courts of this Commonwealth, in cases where a defendant has been compelled to remain in jail, after his examining trial by reason of his inability to execute bond, to answer the charge in the Circuit Court and where on trial had in such Circuit Court he has been found guilty and his punishment fixed for a term of confinement in the county jail of three months or more or his punishment fixed for a term in the penitentiary, less than for life, he shall be given credit on such terms for the time he has been confined in the county jail after his examining trial and it shall be the duty of the Circuit Court to endorse on such judgment a credit for the number of days such defendant has been so confined in the county jail after his examining trial and an entry shall be made by the Circuit Clerk on the commitment and such defendant shall be discharged from the county jail or penitentiary when he has served the full term for which he was convicted, less such credit of time as he is to receive as herein provided.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

H. H. Barnes	Robt. Humphreys	E. E. Shannon
W. T. Beckham	R. O. Huntsman	Dr. B. F. Shields
J. M. Billiter	Frank Kennard	H. G. Skiles
Rodney G. Bryson	W. L. Kimbrough	S. G. Smith
Roy J. Cain	J. M. Knott	H. A. Spillman
W. T. Carner	Joseph Lazarus	R. Lee Stewart
J. F. Carr	Rev. J. A. Lee	Wm. A. Stewart
T. L. Caudel	Elmer Lusby	T. R. Stults
B. L. Cox	R. C. Marcum	John B. Thomas
P. A. Day	Harry J. Meyers	J. Mack Thompson
H. N. Dean	Claude D. Minor	J. H. Thompson
J. B. Denucs	John T. Murphy	Dr. D. J. Travis
Dr. T. H. Gamblin	Estill W. Neel	John L. Trumbo
B. J. Goehringer	Chas. A. Nelson	J. Wood Vance
J. W. Geveden	B. F. Reynolds	Fred C. VanHoose
Dr. W. L. Gossett	J. L. Richardson	Daniel Vose
A. F. Hanberry	Lee Rogers	Geo. C. Waggoner
E. C. Hardin	B. A. Roth	Gladstone Wesley
Dr. W. L. Haynes	Dr. Lewis Ryans	R. E. Wilborn
Talbert Holliday	Chas. R. Scott	W. N. Winn
D. J. Howard	W. P. Scott	Dr. W. S. Yazell

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There voted in the negative—

C. B. Truesdell

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Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 249. An Act to repeal and re-enact Section 1112, Kentucky Statutes, relating to change of venue in criminal cases, with an emergency thereto.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1112 of the Kentucky Statutes be repealed and that there be enacted in its stead the following:

Whenever any Circuit Judge shall be satisfied from his own knowledge and from the written statement of the Commonwealth's Attorney of that district such a state of lawlessness exists in any county of this Commonwealth or that he be so satisfied that a high state of excitement or feeling of prejudice exists therein against the defendant that there is apparent danger of mob violence wherein loss of life or destruction of property may occur unlawfully that a trial in such county cannot be fairly and impartially had or that the officers of the court will be prevented from discharging their duty or that the jurors may be intimidated or deterred from fairly and impartially rendering a verdict in the case he may order the prosecution removed to some other county in which a fair trial can be had; and the fiscal court of the county from which such removal is made shall allow and pay the costs thereof from the county levy.

§ 2. A change of venue may be had to some other county when the facts exist as set out in Section 1 of this Act on the motion of the defendant by counsel and his presence in court waived when the written statement of his counsel is filed in such case and the affidavit of the defendant filed therein that he is in danger of mob violence in such county and for that reason desires that a change of venue be had to some other county and that he therein waives his presence on the hearing of a motion for a change of venue.

§ 3. Whereas, there are now pending in the circuit courts of this Commonwealth cases in which mob violence may ensue by taking the defendant into court where he has been indicted for the purpose of securing a change of venue or for trial and that it is to the best interest of the State that this Act become a law immediately, an emergency is declared to exist.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. H. Ballard	J. B. Denucs	Joseph Lazarus
W. T. Beckham	Dr. T. H. Gamblin	Rev. J. A. Lee
J. M. Billiter	B. J. Goehringer	Elmer Lusby
Rodney G. Bryson	J. W. Geveden	I. S. Mason
Roy J. Cain	Dr. W. L. Haynes	A. J. McCandless
W. T. Carner	Talbert Holliday	R. L. McFerron
J. F. Carr	D. J. Howard	Harry J. Meyers
T. L. Caudel	Robt. Humphreys	Estill W. Neel
A. S. Cooper	R. O. Huntsman	Chas. A. Nelson
B. L. Cox	Frank Kennard	T. P. Oliver
J. S. Cruse	W. L. Kimbrough	B. F. Reynolds
P. A. Day	Hebron Lawrence	J. L. Richardson.

Lee Rogers	H. A. Spillman	John L. Trumbo
Dr. Lewis Ryans	R. Lee Stewart	Daniel Vose
Chas. R. Scott	Wm. A. Stewart	A. M. Wash
W. P. Scott	T. R. Stults	Gladstone Wesley
E. E. Shannon	John B. Thomas	R. E. Wilborn
Dr. B. F. Shields	J. Mack Thompson	W. N. Winn
H. G. Skiles	C. B. Truesdell	—56

Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senate Bills Nos. 140, 312 and 249, passed by the House, were sent to the Senate.

A message was received from the Senate announcing that it had passed House Bills Nos. 354 and 469.

Ordered, that said bills be enrolled.

A message was received from the Senate announcing that it had receded from Senate amendments numbered 4 and 5 to House Bill No. 466.

Said amendments are as follows:

(4) Amend House Bill 466, by adding immediately after the word "dollars" in line 31 thereof the following words: "on each person, firm or corporation carrying on a drug business selling patent or proprietary medicines from a fixed place of business, ten dollars."

(5) Amend House Bill 466 by adding after the word "act" in line 37 of Section 1, the following: "on each and every undertaker a license tax of \$100.00."

So said amendments were not concurred in.

Ordered, that said House Bill No. 466 be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	A. R. Hudson	Dr. Lewis Ryans
L. H. Ballard	Adam W. Huff	S. G. Smith
H. H. Barnes	R. O. Huntsman	R. Lee Stewart
Roy J. Cain	Henry Kaufman	Wm. A. Stewart
J. F. Carr	W. L. Kimbrough	T. R. Stults
T. L. Caudel	Hebron Lawrence	J. Mack Thompson
Charles M. Ciarlo	Joseph Lazarus	C. B. Truesdell
J. S. Cruse	R. C. Marcum	John L. Trumbo
P. A. Day	I. S. Mason	J. Wood Vance
H. N. Dean	A. J. McCandless	Fred C. VanHoose
J. B. Denues	Homer C. McLellen	Daniel Vose
J. M. Foster	Harry J. Meyers	A. M. Wash
Dr. T. H. Gamblin	Mack J. Morgan	J. S. Webb
B. J. Goehringer	Estill W. Neel	Dr. T. R. Welch
J. W. Geveden	T. C. Pryse	Gladstone Wesley
E. C. Hardin	B. F. Reynolds	R. E. Wilborn
Dr. W. L. Haynes	J. L. Richardson	W. N. Winn
Talbert Holliday	Lee Rogers	

Those who voted in the negative were—

W. T. Beckham	J. M. Knott	Dr. B. F. Shields
B. L. Cox	Rev. J. A. Lee	H. A. Spillman
H. C. Duffy	Elmer Lusby	Frank L. Strange
D. J. Howard	Chas. A. Nelson	John B. Thomas
Robt. Humphreys	Chas. R. Scott	
Frank Kennard	W. P. Scott	—16

The Senate proposed the following amendment to the title to said bill:

Amend title to House Bill 466 by striking the title thereto and inserting the following: "An Act imposing an annual license tax on taverns and hotels and defining same; on trading stamp companies and defining same; on wholesalers and jobbers of cigarettes; on billiard and pool tables; for bottling soft drinks; on oleomargarine dealers; railroad eating houses; dealers in drugs and proprietary medicines; restaurants; real estate agents and defining same; on shooting galleries; on retail dealers in soft drinks and ice cream and defining same; on theaters and defining same; on undertakers and loan companies.

Said amendment to the title was concurred in.

Resolved, that the title to said bill be as amended as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 58. An Act providing for the oiling of the streets of towns of the sixth class of this Commonwealth.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the board of trustees of towns of the sixth class of this Commonwealth are hereby empowered to cause all or any such streets to be oiled as is deemed to be to the best interest and welfare of the general public.

§ 2. The board of trustees of any town of the sixth class may, at a regular meeting, pass a resolution designating a certain street or streets to be oiled, which shall be done by a resolution duly published for two consecutive weeks in some paper of general circulation published in the town where the oiling is proposed to be done, and if there should be no paper published in such town, then by posting written or printed copies of such resolution in at least six conspicuous places in such town, calling the attention of the public to the street or streets proposed to be oiled, the time when the same is to be done and the approximate cost of same, and what part is to be paid by the property holders whose property borders and abuts on the said street or streets where the oiling is proposed to be done.

§ 3. Such town shall have the power to assess against the property holders whose property borders or abuts on such street or streets proposed to be oiled any portion of the cost and assess the cost of same and levy a sufficient tax against such property to be known as "oiling tax," and which tax is to be collected as other town taxes of such towns are collected, and such town shall have the same tax lien against the property bordering and abutting on such street or streets and the collection thereof shall be enforced in the same manner as the collection of other taxes collected for the town; provided, however, that no more shall be assessed against the

property holders, in proportion on the one side of the street oiled than on the other.

§ 4. After the street or streets have been oiled in accordance with the resolution passed by the board of trustees every property holder shall be given a written notice signed by the clerk of the board of trustees of the amount due on oiling tax, showing therein the number of feet bordering and abutting on such street or streets, and the cost per foot, and it shall be the duty of the property holder to pay the same to the collector of taxes of such town within thirty days after he has received the said notice, and on his failure to do so there shall be imposed upon him a penalty of ten per cent on the amounts so due by such property holder.

§ 5. However, it shall be the duty of such town to pay for oiling all the cross sections of such street or streets designated to be oiled.

§ 6. All Acts or parts of Acts in conflict with this Act are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	J. F. Carr	A. S. Cooper
H. H. Barnes	T. L. Caudel	J. S. Cruse
Roy J. Cain	Charles M. Ciarlo	H. N. Dean

J. B. Denues	R. C. Marcum	Wm. A. Stewart
J. M. Foster	I. S. Mason	J. Mack Thompson
B. J. Goehringer	A. J. McCandless	John L. Trumbo
E. C. Hardin	R. L. McFerron	J. Wood Vance
Dr. W. L. Haynes	Homer C. McLellen	Fred C. VanHoose
Talbert Holliday	Harry J. Meyers	Daniel Vose
A. R. Hudson	Claude D. Minor	Geo. C. Waggoner
Adam W. Huff	Estill W. Neel	A. M. Wash
Frank Kennard	B. F. Reynolds	J. S. Webb
W. L. Kimbrough	J. L. Richardson	Dr. T. R. Welch
J. M. Knott	Lee Rogers	Gladstone Wesley
Hebron Lawrence	W. P. Scott	W. N. Winn
Joseph Lazarus	E. E. Shannon	Dr. W. S. Yazell
Rev. J. A. Lee	R. Lee Stewart	—50

Those who voted in the negative were—

L. H. Ballard	Dr. T. H. Gamblin	S. G. Smith
B. L. Cox	Dr. S. D. Laughlin	John T. E. Stites
H. C. Duffy	Chas. R. Scott	Frank L. Strange
		—9

Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 159. An Act amending Sub-section 4 of Section 125b of the Kentucky Statutes, Carroll's Edition, 1915, by increasing the salaries of the district detectives.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sub-section 4 of Section 125b, of the Kentucky Statutes, Carroll's Edition, 1915, be amended, by striking out

the words "One thousand dollars" and inserting in lieu thereof, the words "fifteen hundred dollars," so that when said sub-section is amended it shall read as follows:

Sec. 4. Salary When and How Paid.—The salary of each of said district detectives shall be fifteen hundred dollars per annum, payable out of the county levy in equal monthly installments.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Adam W. Huff	Chas. R. Scott
L. H. Ballard	Robt. Humphreys	W. P. Scott
H. H. Barnes	R. O. Huntsman	E. E. Shannon
W. T. Beckham	J. M. Knott	R. Lee Stewart
Rodney G. Bryson	Joseph Lazarus	Wm. A. Stewart
Roy J. Cain	Rev. J. A. Lee	Frank L. Strange
J. F. Carr	R. C. Marcum	T. R. Stults
T. L. Caudel	I. S. Mason	J. Mack Thompson
Charles M. Ciarlo	A. J. McCandless	John L. Trumbo
B. L. Cox	R. L. McFerron	J. Wood Vance
J. S. Cruse	Homer C. McLellen	Fred C. VanHoose
P. A. Day	Claude D. Minor	Daniel Vose
H. N. Dean	John T. Murphy	A. M. Wash
A. L. Hamilton	Estill W. Neel	J. S. Webb
A. F. Hanberry	J. L. Richardson	Dr. T. R. Welch
E. C. Hardin	Lee Rogers	Gladstone Wesley
Talbert Holliday	B. A. Roth	
A. R. Hudson	Dr. Lewis Ryans	

Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Senate Bills Nos. 58 and 159, passed by the House, were sent to the Senate by Mr. McLellen.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 348. An Act relating to oil and natural gas; regulating the receipt of same into pipe lines, and the transportation and delivery thereof to consumers.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every company or corporation receiving, transporting or delivering a supply of oil or natural gas for public consumption is hereby declared to be a common carrier, and the receipt, transportation and delivery of natural gas into, through and from a pipe line operated by any such company is declared to be a public use.

§ 2. It shall be the duty of each and every company engaged in the receipt, transportation or delivery of oil or natural gas for public consumption at all reasonable times to receive, for transportation and delivery, from such pipes as may be connected up with any main or tributary line, all gas that may be held and stored or ready for delivery, provided, however, that said main or tributary line has the means or capacity to so receive, transport or deliver such oil or gas as is offered.

§ 3. In the event that any main line or tributary thereto or both, is operating and transporting to such capacity as that

it is impossible or impracticable to receive or transport all offered oil or gas, where connections exist, then it shall be the duty of the operating company to receive and transport offered oil or gas in equal proportions, using the daily productive quantity of each producing person or company so offering gas as the basis of proportion.

§ 4. Any willful refusal or failure to receive, transport and deliver oil or gas in the manner set out above, shall be deemed a misdemeanor, and upon conviction, the company so failing or refusing shall be fined not less than one hundred nor more than five hundred dollars, and each day's willful failure or refusal shall be deemed to be a separate offense, and in addition said failing or refusing company shall be liable in damages to the injured party.

§ 5. This law to become effective upon its passage and approval, and in due course of law.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	S. M. Bennett	T. L. Caudel
L. H. Ballard	Rodney G. Bryson	Charles M. Ciarlo
H. H. Barnes	Roy J. Cain	A. S. Cooper
W. T. Beckham	W. T. Carner	J. S. Cruse

P. A. Day	Joseph Lazarus	S. G. Smith
H. N. Dean	Elmer Lusby	R. Lee Stewart
J. B. Denues	R. C. Marcum	Wm. A. Stewart
Dr. T. H. Gamblin	I. S. Mason	John T. E. Stites
A. L. Hamilton	A. J. McCandless	Frank L. Strange
E. C. Hardin	Harry J. Meyers	T. R. Stults
Dr. W. L. Haynes	Claude D. Minor	John B. Thomas
Talbert Holliday	Estill W. Neel	J. Mack Thompson
A. R. Hudson	Chas. A. Nelson	C. B. Truesdell
Adam W. Huff	T. P. Oliver	John L. Trumbo
Robt. Humphreys	B. F. Reynolds	J. Wood Vance
R. O. Huntsman	J. L. Richardson	Fred C. VanHoose
Henry Kaufman	Lee Rogers	Daniel Vose
Frank Kennard	B. A. Roth	Geo. C. Waggoner
W. L. Kimbrough	Chas. R. Scott	A. M. Wash
J. M. Knott	W. P. Scott	J. S. Webb
Dr. S. D. Laughlin	E. E. Shannon	Dr. T. R. Welch
Hebron Lawrence	H. G. Skiles	Gladstone Wesley

—66

Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was sent to the Senate by Mr. Wash.

Mr. Ray, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills and resolution of the following titles, viz.:

House Bill No. 78, entitled, an Act for the benefit of the Red Cross Association (colored) of Louisville.

House Bill No. 119, entitled, an Act to provide for a commission form of government for cities of the fifth and sixth classes, its adoption to be optional with the citizens of such

cities, and the judicial and the police functions and powers of same to be invested in the county authorities.

House Bill No. 142, entitled, an Act to enable the Board of Sinking Fund Commissioners to purchase ground to straighten the State line and beautify the approach to the capitol.

House Bill No. 175, entitled, an Act to amend an Act entitled, "An Act to establish a board of examiners for trained nurses and to regulate the practice of professional trained nursing in the State of Kentucky," approved March 13, 1914, and as amended by an Act approved March 24, 1916.

House Bill No. 389, entitled, an Act to repeal and re-enact Chapter 18 of the Acts of 1916, which is an Act "prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats, and steamboat companies, telegraph companies and telephone companies, and all boats and other water craft propelled by the use of oil, gasoline or other means" so as to prescribe the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies, natural gas companies and natural gas transportation companies, and all other water craft propelled by the use of oil, gasoline or other means.

House Bill No. 391, entitled, an Act to amend and re-enact Sections 929 and 934 of Carroll's Kentucky Statutes, Edition of 1915.

House Bill No. 426, entitled, an Act to amend and re-enact Section 189 of the Code of Practice in criminal cases, relating to continuances.

House Bill No. 445, entitled, an Act requiring hotel and inn-keepers to keep posted in a conspicuous place in each

room under their charge a printed statement showing the price to be charged the guest occupying said room per day and prescribing the penalties for the violation thereof.

House Bill No. 492, entitled, an Act authorizing the Fiscal Courts of certain counties and authorizing certain municipalities to appropriate money for the purpose of securing the necessary areas of water front and suitable water terminals at all towns and landings along certain parts of the Cumberland river adequate for traffic, same to be open to the public equally on terms satisfactory to the Secretary of War of the United States.

House Bill No. 523, entitled, an Act to amend an Act entitled, "An Act to provide for the nominations of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof," which Act became a law March 5, 1912, as the same was amended by Act of the Legislature approved March 23, 1914, so as to provide for the nominations of judges of the Court of Appeals and Circuit Courts of the State of Kentucky.

House Bill No. 533, entitled, an Act relating to revenue and taxation; fixing the annual tax rate on unmanufactured agricultural products, subject to taxation, other than unmanufactured agricultural products actually on hand at the plants of manufacturing concerns for the purpose of manufacture; fixing the date of assessment; prescribing by whom the tax shall be paid; limiting the local rate of ad valorem taxation on unmanufactured agricultural products; providing for the distribution of the fund derived from such taxation; providing for the assessment, equalization and collection of the tax.

Senate Bill No. 1. An Act to provide for wash rooms in certain employments to protect the health of employees and secure public comfort.

Senate Bill No. 359. An Act to provide for the construction and maintenance, in cities of the first class, of memorials in honor of the soldiers and sailors furnished by such cities and the counties wherein situated, to the United States army and navy during the recent World War; providing for the voting of a bond issue in such cities, and for the acceptance of gifts and donations for such purposes; partially repealing Section 2827, Kentucky Statutes; and for related purposes, including the creation of a Memorial Commission in such cities.

Senate Bill No. 362. An Act relating to the Clerk of the Court of Appeals, requiring him to make reports under oath of all moneys received by him on account of his official duties or position from all sources, and to pay over to the auditor the amounts so received; deputies allowed; and making provision for the salary of the Clerk of the Court of Appeals and his deputies.

Senate Bill No. 144. An Act to repeal Sub-section 8 of Section 231d, and Sub-section 3 of Section 331g and the following words in Sub-section 2 of Section 331e: "The county courts of the several counties of this State shall have exclusive jurisdiction in all cases coming within the terms and provisions of this Act," of the Kentucky Statutes (Carroll's 1915 Edition), and to increase the jurisdiction of the circuit courts by adding jurisdiction of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and

fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children, and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to, the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all Acts amending said three Acts.

Senate Bill No. 204. An Act to amend, revise and re-enact Sections 3174, 3176, 3178, 3179 and 3181 of Kentucky Statutes, same being a part of Sub-section 8 of Chapter 89 thereof.

Senate Bill No. 182. An Act to define and prohibit criminal syndicalism and sedition and to prohibit conduct, publications, assemblies and the use of property for the promotion of criminal syndicalism and sedition, prescribing the duties of peace officers and providing penalties.

Senate Bill No. 164. An Act to prevent the spread of hog cholera and other diseases, regulating the business of disposing of the bodies of dead animals by the process of burying, burning or cooking; providing for the issuance of licenses to persons, firms or corporations, permitting them to follow such business; providing for the inspection of plants where such business is carried on; providing for the violation of any of its provisions.

Senate Bill No. 19. An Act to amend and re-enact section twenty-eight hundred and thirty-four (2834) Carroll's Kentucky Statutes, Edition of 1915, being section seventy-one (71) of the Act entitled, "An Act for the government of cities of the first class," approved July 1, 1893.

Senate Bill No. 321. An Act empowering the Board of Trustees of any graded common school district to condemn any land deemed necessary by said board, not exceeding ten acres, for a site for a graded common school, and providing the manner in which said land may be condemned.

Senate Bill No. 125. An Act to amend and re-enact Section 4042a-12, Kentucky Statutes, Carroll's Edition, Vol. 3, 1918, relating to the manner of assessment of property for taxation, and the duties of tax commissioners.

Senate Bill No. 324. An Act to amend and re-enact Section 518, Civil Code of Practice, relating to the modification of judgment after term by court rendering it.

Senate Bill No. 369. An Act providing for the manner of making of all annual and biennial reports of the various departments, commissions and agencies of the State Government, as now required by law, giving to the State Printing Commissioners power to determine what reports and what portions thereof shall be printed and distributed at public expense.

Senate Resolution No. 30. Resolution providing for furnishing Kentucky directories.

Senate Bill No. 3. An Act providing for the separate confinement of the criminal insane, defining such term and providing for the transfer of same to an institution set apart therefor, of those who may be adjudged to be criminally insane.

Senate Bill No. 169. An Act giving to jewelers a lien on goods left with them for repair, and providing the method of sale thereof.

Senate Bill No. 150. An Act defining mattresses; regulating the making, remaking and sale thereof; prohibiting the

use of unsanitary and unhealthy materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labeled; providing for the enforcement of the provisions of this Act; making certain acts criminal and punishing the same.

Senate Bill No. 156. An Act to amend section twenty-one (21), chapter one (1), title three (3) of the Civil Code of Practice, providing for the bringing of actions by persons acting for others.

Senate Bill No. 264. An Act to provide for the opening of private pass-ways, tram-roads and haul-roads.

Senate Bill No. 201. An Act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this State, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

Senate Bill No. 69. An Act to repeal Chapter 85a, Section 2561a of Carroll's Statutes, entitled, "Merchandise—to regulate sale of in bulk," and to enact a law in lieu thereof to regulate the sales in bulk of stocks of merchandise or fixtures of stocks and fixtures and to prescribe penalties for the violation thereof.

Senate Bill No. 323. An Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto as to joint rates.

Senate Bill No. 132. An Act to amend an Act entitled, "An Act to amend an Act entitled 'An Act for the government of cities of the second class in the Commonwealth of Kentucky, which was approved March 19, 1894, and thereafter in due course became a law, and as same has since been amended, all of which said Act and amendments now appear as Article 3, of Chapter 89, of the Kentucky Statutes, in John D. Carroll's Edition thereof in 1909," which was approved on March 21, 1910, and thereafterwards became a law.

Senate Bill No. 70. An Act to amend and re-enact section twenty-eight hundred and ten (2810), Carroll's Kentucky Statutes, Edition of 1915, being section forty-eight (48) of an Act entitled, "An Act for the government of cities of the first class," approved July 1, 1893, as amended by an Act approved February 4, 1894, and by an Act approved March 15, 1912.

Senate Bill No. 243. An Act for the protection of game birds and game animals; fixing open and closed seasons for the same; fixing the bag limit for birds and animals killed in open season, prohibiting the snaring of rabbits and providing penalty for the violation of this Act.

Whereupon all other business was suspended, said bills and resolution were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bills and resolution.

Ordered, that the Enrolling Clerk deliver said bills and resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Huntsman moved that the House now take a recess until 8 p. m.

Said motion was agreed to.

Then, at 4:30 p. m., the House took a recess until 8 p. m.

EVENING SESSION.

The House reconvened at 8 p. m.

Mr. Spillman moved to go into the Committee of the Whole House for the purpose of hearing brief addresses by various members and for the further purpose of presenting to the officers and employees of the House presents that the members desired to give to them.

Said motion was agreed to.

The Speaker called Mr. Hamilton to preside over the committee.

Appropriate gifts were presented to the Speaker, to the Chief Clerk and Assistant Clerk, Enrolling Clerk, Sergeant-at-Arms, Doorkeeper and Pages.

Mr. Spillman moved that the committee rise.

Said motion was agreed to and the Speaker resumed the chair.

A message was received from the Senate announcing that it had passed House Bills Nos. 221, 81, 550.

Ordered, that said bills be enrolled.

Also that it had passed House Bill No. 209 with an amendment thereto by way of substitute.

Mr. Huntsman, of the Committee on Rules, moved that the House take up for immediate consideration the Senate amendment by way of substitute to House Bill No. 209.

-Said motion was agreed to.

Said substitute is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That Section 1 of an Act of May 2, 1917, c-10, Page 43, entitled, "An Act relating to Revenue and Taxation," be amended by inserting after the word "stock" in said Act the words "all domestic fowls," and by adding at the end of the section the words: "Provided, however, that twenty-five domestic fowls to each family shall be exempt from taxation for any purpose whatever," so that said section, when amended and re-enacted, shall read as follows, to-wit:

That all live stock and all domestic fowls shall be taxed for all local purposes at the same rate fixed by law for the taxation of other property, but shall not be taxed for State purposes at a greater rate than ten cents on each one hundred dollars of assessed value; provided, however, that twenty-five domestic fowls to each family shall be exempt from taxation for any purpose whatever.

Said amendment by way of substitute was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Hebron Lawrence	H. A. Spillman
L. H. Ballard	Joseph Lazarus	R. Lee Stewart
H. H. Barnes	Rev. J. A. Lee	Wm. A. Stewart
J. F. Carr	R. C. Marcum	John T. E. Stites
A. S. Cooper	I. S. Mason	Frank L. Strange
P. A. Day	A. J. McCandless	T. R. Stults
H. N. Dean	Homer C. McLellen	John B. Thomas
B. J. Goehringer	Mack J. Morgan	J. Mack Thompson
J. W. Geveden	T. P. Oliver	J. H. Thompson
Dr. W. L. Gossett	T. C. Pryse	C. B. Truesdell
A. L. Hamilton	S. C. Ray	John L. Trumbo
A. F. Hanberry	B. F. Reynolds	J. Wood Vance
E. C. Hardin	J. L. Richardson	Fred C. VanHoose
Dr. W. L. Haynes	Lee Rogers	Daniel Vose
Adam W. Huff	B. A. Roth	Geo. C. Waggoner
R. O. Huntsman	W. P. Scott	A. M. Wash
Henry Kaufman	Dr. B. F. Shields	Dr. T. R. Welch
W. L. Kimbrough	H. G. Skiles	Gladstone Wesley
J. M. Knott	S. G. Smith	Dr. W. S. Yazell

Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill as amended by the substitute was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

The action of the House in concurring in said Senate amendment by way of substitute was certified by the Chief Clerk and sent to the Senate.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 26. An Act providing the granting of scholarships at the Kentucky State University and the State Normal Schools to all persons who were engaged in the military or naval service of the United States during the war with Germany, and who were citizens of this State at the time of their enlistment; providing the requirements necessary to obtain same, and defining the rights and privileges to be given.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1st. That every person who was engaged in the military or naval service of the United States of America during the war with Germany and her allies, which war was declared April 6, 1917, this shall not include any person engaged in any civil departmental service of the government, and who was at the time of his enlistment a resident of the State of Kentucky, shall be entitled to a free scholarship in either the State University, or the Eastern or Western Kentucky Normal

Schools as he or she may choose for the period required for the completion of the course of study selected by them. Said scholarship shall include free tuition, matriculation and other fees, room rent, fuel and light, and all the advantages and privileges of the University or either of said Normal Schools, but same is not to include free board. Provided, that all colored soldiers who measure up to the scholastic requirements of the Institution shall have the same privileges in attending the colored Industrial and Normal School of Frankfort that the white soldiers enjoy at the State University and State Normal Schools for whites.

2nd. Military or Naval service as used herein shall mean and include all the branches of the service prescribed and classified by the United States War Department as a part of either of said services.

3rd. All persons eligible to said scholarship shall meet the scholastic entrance requirements prescribed by the University or Normal Schools for the course of study chosen by the applicant.

4th. The applicant shall file his application for admission at least thirty days prior to the beginning of the semester of the school year at which he desires to enter, which application shall be accompanied by his certificate of honorable discharge from his or her branch of the service, which shall be returned to him or her upon admittance.

5th. All beneficiaries of the scholarship herein granted, who continue their studies for a consecutive school year or ten months, unless unavoidably prevented, shall also be entitled to their actual traveling expenses in going to and returning from the University or the Normal Schools once each way during said year.

6th. The cost of said traveling expenses shall be paid at the end of the year to said students complying with the requirements herein by the proper authority of the institution attended, who shall at the close of the scholastic year file with the State Auditor an itemized statement of all money

so expended, giving the name of the student, and the points of starting and destination, and the Auditor shall thereupon, if said statement is correct, draw upon the State Treasurer for said amount, which shall be paid out of any funds in the Treasury not appropriated.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	A. F. Hanberry	Joséph Lazarus
L. H. Ballard	E. C. Hardin	Rev. J. A. Lee
H. H. Barnes	Dr. W. L. Haynes	Elmer Lusby
Rodney G. Bryson	Talbert Holliday	R. C. Marcum
J. F. Carr	A. R. Hudson	I. S. Mason
T. L. Caudel	Adam W. Huff	A. J. McCandless
A. S. Cooper	Robt. Humphreys	R. L. McFerron
B. L. Cox	R. O. Huntsman	Homer C. McLellen
P. A. Day	J. W. Johnson	Harry J. Meyers
H. N. Dean	Henry Kaufman	Claude D. Minor
B. J. Goehringer	Griffin Kelly	Mack J. Morgan
J. W. Geveden	J. M. Knott	John T. Murphy
Dr. W. L. Gossett	Dr. S. D. Laughlin	Estili W. Neel
A. L. Hamilton	Hebron Lawrence	T. P. Oliver

T. C. Pryse	H. A. Spillman	J. Wood Vance
S. C. Ray	R. Lee Stewart	Fred C. VanHoose
B. F. Reynolds	Wm. A. Stewart	Daniel Vose
J. L. Richardson	John T. E. Stites	Geo. C. Waggoner
Sherman Robbins	Frank L. Strange	A. M. Wash
Lee Rogers	T. R. Stults	J. S. Webb
B. A. Roth	John W. Swope	Dr. T. R. Welch
Chas. R. Scott	John B. Thomas	Gladstone Wesley
W. P. Scott	J. Mack Thompson	W. G. Wheeler
E. E. Shannon	J. H. Thompson	R. E. Wilborn
Dr. B. F. Shields	Dr. D. J. Travis	V. M. Williamson
H. G. Skiles	C. B. Truesdell	W. N. Winn
S. G. Smith	John L. Trumbo	Dr. W. S. Yazell

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Resolved, that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was sent to the Senate.

A message was received from the Senate announcing that it had passed House Bills Nos. 33, 325, 167 and 368.

Ordered, that said bills be enrolled.

A message was received from the Senate announcing that it had passed House Bills Nos. 432, 452, 488 and 203.

Ordered, that said bills be enrolled.

Mr. Huntsman, of the Committee on Rules, called up for consideration the Senate amendment to House Bill No. 325.

Said amendment is as follows:

Amend House Bill 325 in Senate by inserting in line 6 of the printed bill the word "infant" before the word "children."

Said amendment was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill as amended in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	Dr. W. L. Gossett	Elmer Lusby
L. H. Ballard	A. F. Hanberry	R. C. Marcum
H. H. Barnes	E. C. Hardin	I. S. Mason
S. M. Bennett	Dr. W. L. Haynes	A. J. McCandless
J. M. Billiter	Talbert Holliday	R. L. McFerron
Rodney G. Bryson	D. J. Howard	Homer C. McLellen
Roy J. Cain	A. R. Hudson	Claude D. Minor
J. F. Carr	Adam W. Huff	Mack J. Morgan
Charles M. Ciarlo	Robt. Humphreys	John T. Murphy
A. S. Cooper	R. O. Huntsman	Estill W. Neel
J. S. Cruse	Henry Kaufman	T. P. Oliver
P. A. Day	Frank Kennard	T. C. Pryse
H. N. Dean	W. L. Kimbrough	S. C. Ray
J. B. Denues	J. M. Knott	B. F. Reynolds
J. M. Foster	Dr. S. D. Laughlin	J. L. Richardson
B. J. Goehringer	Hebron Lawrence	Lee Rogers
J. W. Geveden	Joseph Lazarus	B. A. Roth

Dr. Lewis Ryans	Frank L. Strange	Daniel Vose
Chas. R. Scott	John W. Swope	Geo. C. Waggoner
Dr. B. F. Shields	J. Mack Thompson	A. M. Wash
H. G. Skiles	J. H. Thompson	Gladstone Wesley
H. A. Spillman	John L. Trumbo	W. N. Winn
R. Lee Stewart	J. Wood Vance	-
Wm. A. Stewart	Fred C. VanHoose	—70

Resolved that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

The action of the House in concurring in Senate amendment to House Bill No. 325 was certified by the Chief Clerk and sent to the Senate.

Mr. Huntsman, of the Committee on Rules, called up for consideration the Senate amendment by way of substitute to House Bill No. 24.

Said amendment by way of substitute is as follows:

An Act to amend Section 1772 of the Kentucky Statutes, Carroll's Edition of 1915, increasing and fixing the salary of Deputy Jailers in counties containing a population of 200,000 inhabitants or more.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1772 of the Kentucky Statutes, Carroll's Edition, 1915, reading as follows:

Section 1772. Jailers in counties with seventy-five thousand population—Salary of—number and salary of deputies.

“In counties having a population of seventy-five thousand or over, the jailer shall, after the term of the present incumbent has expired, receive an annual salary of five thousand dollars; and the number of his deputies, guards and turnkeys and the salaries allowed to each, shall be fixed by the judge of the county court, the mayor of the city where the jail is located, and the judge of the criminal division of the circuit court; but the annual salary of the chief deputy shall not exceed eighteen hundred dollars per annum, nor shall the annual salary of each of the other deputies, guards or turnkeys exceed twelve hundred dollars per annum. The order fixing the salaries and the number of deputies, guards and turnkeys shall be signed by a majority of said persons and spread upon the order book of the county court, and a certified copy thereof, as well as of any subsequent changes made therein, shall be filed when made with the Auditor of Public Accounts,” be amended by adding at the end of said section the following words: “Provided, that in counties having a population of two hundred thousand or over, the salary of the deputy jailers, guards and turnkeys shall not exceed fifteen hundred dollars per annum, and the salary of the chief deputy shall not exceed eighteen hundred dollars per annum,” so that said section, as amended, shall read as follows:

Section 1772. Jailer in counties with seventy-five thousand population—Salary of—Number and salary of deputies. In counties having a population of seventy-five thousand or over, the jailer shall, after the term of the present incumbent has expired, receive an annual salary of five thousand dollars; and the number of his deputies, guards and turnkeys, and the salaries allowed to each, shall be fixed by the judge of the county court, the mayor of the city where the jail is located, and the judge of the criminal division of the circuit court; but the salary of the chief deputy shall not exceed eighteen hundred dollars per annum, nor shall the annual salary of each of the other deputies, guards and turnkeys exceed twelve

hundred dollars per annum. The order fixing the salaries and number of deputies, guards and turnkeys shall be signed by a majority of said persons and spread upon the order book of the county court, and a certified copy thereof, as well as of any subsequent changes made therein, shall be filed when made with the Auditor of Public Accounts; provided, that in counties having a population of two hundred thousand or over, the salary of the deputy jailers, guards and turnkeys shall not exceed fifteen hundred dollars per annum; and the salary of the chief deputy jailer shall not exceed eighteen hundred dollars per annum.

Whereas, it is necessary for the proper conduct of said jails that the salaries of said deputies be increased as soon as possible, an emergency is hereby declared to exist, and this Act shall take effect immediately after its passage and approval by the Governor.

Said amendment by way of substitute was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill as amended by the substitute, in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Sidney Alfrey	A. R. Hudson	J. L. Richardson
L. H. Ballard	Adam W. Huff	Lee Rogers
H. H. Barnes	Robt. Humphreys	B. A. Roth
J. M. Billiter	R. O. Huntsman	Chas. R. Scott
Rodney G. Bryson	Henry Kaufman	W. P. Scott
Roy J. Cain	J. M. Knott	Dr. B. F. Shields
J. F. Carr	Hebron Lawrence	R. Lee Stewart
Charles M. Ciarlo	Joseph Lazarus	Wm. A. Stewart
A. S. Cooper	Rev. J. A. Lee	John T. E. Stites
J. S. Cruse	Elmer Lusby	Frank L. Strange
P. A. Day	R. C. Marcum	T. R. Stults
H. N. Dean	I. S. Mason	John B. Thomas
J. B. Denues	A. J. McCandless	John L. Trumbo
B. J. Goehringer	R. L. McFerron	Daniel Vose
J. W. Geveden	Homer C. McLellen	A. M. Wash
Dr. W. L. Gossett	Mack J. Morgan	Dr. T. R. Welch
A. L. Hamilton	John T. Murphy	Gladstone Wesley
A. F. Hanberry	Estill W. Neel	W. N. Winn
Talbert Holliday	T. P. Oliver	Dr. W. S. Yazell
D. J. Howard	B. F. Reynolds	

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Resolved, that the title thereof be as amended by the substitute.

Mr. Huntsman moved that the vote by which said bill was passed as amended by the substitute be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

The action of the House in concurring in Senate amendment by way of substitute to House Bill No. 24 was certified to the Senate by the Chief Clerk.

A message was received from the Senate announcing that it had passed House Bill No. 332.

Ordered, that said bill be enrolled.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

House Bill No. 24, entitled, an Act to amend Section 1772 of the Kentucky Statutes, Carroll's Edition of 1915, increasing and fixing the salary of Deputy Jailers in counties containing a population of 200,000 inhabitants or more.

House Bill No. 33, entitled, an Act entitled an Act amending Section 75 of the Criminal Code of Practice, Carroll's 1919 Edition.

House Bill No. 81, entitled, an Act to amend and re-enact Section 3783 of the Kentucky Statutes, Carroll's Edition, 1915, relating to patrols.

House Bill No. 167, entitled, an Act relating to penitentiaries; abolishing the offices of Assistant Deputy Wardens.

House Bill No. 203, entitled, an Act to amend and re-enact Section 1061a of the Kentucky Statutes, the same being an Act of the General Assembly of the Commonwealth of Kentucky approved on the 18th day of March, 1914, entitled: "An Act to provide a stenographer for the county judge of counties in the Commonwealth containing a population of two hundred thousand or over," this amendment providing for a stenographer for the county judge of other counties.

House Bill No. 209, entitled, an Act relating to revenue and taxation; amending an Act of May 2, 1917, entitled, "An Act relating to Revenue and Taxation," which same is Section 4019a-5, Kentucky Statutes, 1918.

House Bill No. 221, entitled, an Act to amend and re-enact Section 3 of Chapter 72 of the Acts of the General Assembly of 1918, relating to fiscal court in each county of the Commonwealth having therein a city of the first class, and authoriz-

ing the fiscal court in such county to appoint a clerk and deputy and a stenographer and to fix their bonds, salaries and prescribe their duties.

House Bill No. 323, entitled, an Act relating to vehicles; regulating their use and operation upon the public highways of this Commonwealth; providing for the registration and licensing of motor vehicles; fixing the amount of the license and manner of payment thereof; providing for the registration and licensing of operators of motor vehicles and the amount of such license; providing a method of registration of motor vehicles; preventing illegal traffic in motor vehicles; providing penalty for the violation of this Act, and repealing any and all conflicting laws.

House Bill No. 325, entitled, an Act to repeal, amend and re-enact Sub-section 5 of Section 1403, Carroll's Edition, 1915, Kentucky Statutes, relating to descent and distribution of personal property.

House Bill No. 332, entitled, an Act to inculcate habits of thrift and industry in public high schools.

House Bill No. 354, entitled, an Act to amend and re-enact Section 1488, Kentucky Statutes (Carroll's 1915 Edition), and also to amend and re-enact Sections 1 and 2 of Chapter 136 of the Acts of 1918, relating to registration of voters in cities of the first, second, third and fourth classes.

House Bill No. 368, entitled, an Act to change and fix the times for holding the terms of circuit court in the Thirty-sixth Circuit Court Judicial District of Kentucky (composed of the counties of Wolfe, Morgan and Magoffin), and declaring an emergency.

House Bill No. 432, entitled, an Act amending Article 12, Sub-section 6 of Section 1550, of Carroll's Kentucky Statutes, 1915 Edition, re-enacting same and providing there-

in that no applicant or candidate for any public office within the State of Kentucky who shall have been defeated for a nomination, shall thereafter be a candidate for the same office in the general election of the same year in which said candidate aspired or attempted to be nominated under the aforesaid Sub-section 6, Section 1550, of said Statutes.

House Bill No. 452, entitled, an Act repealing Sections 15 and 16 of Chapter 112 of the Acts of the General Assembly, 1918, relating to dogs, the promotion of live stock industry and the protection of live stock and poultry from damage by dogs, etc., and re-enacting the same with certain modifications thereof.

House Bill No. 466, entitled, an Act imposing an annual license tax on taverns and hotels and defining same; on trading stamp companies and defining same; on wholesalers and jobbers of cigarettes; on billiard and pool tables; for bottling soft drinks; on oleomargarine dealers; railroad eating-houses; dealers in drugs and proprietary medicines; restaurants; real estate agents and defining same; on shooting galleries; on retail dealers in soft drinks and ice cream and defining same; on theaters and defining same; on undertakers and loan companies.

House Bill No. 469, entitled, an Act providing for the working of prisoners who are confined in the prisons, on State highways and bridges, constructed by the Department of State Roads and Highways; providing for the setting apart of a fund from the State Road Fund, to be used by the Department of State Roads and Highways in building State roads and bridges with convict labor, and to enable said Department of State Roads and Highways to work said prisoners in the mining, quarrying and manufacturing and preparation of material for building roads and bridges; providing aid and assistance to the State Highway Commission in the construction of State roads with convict labor and otherwise; providing for the assignment of prisoners to do State road

work, and for their supervision and management while so engaged; providing a method of payment for the roads so constructed out of the State Road Fund, and authorizing the State Board of Control to provide means of employment for convicts while not engaged in working on public roads and bridges, and in the manufacturing, quarrying, mining and preparation of road material; providing that the State Board of Control may lease farms on which to employ convicts, and providing compensation for all prisoners that may work under the supervision of the State Board of Control; and providing ways and means whereby prior indebtedness of the counties to the State for convict labor work can be liquidated.

House Bill No. 488, entitled, an Act to amend Section 4337 of Volume 2 of Carroll's 1915 Edition of the Kentucky Statutes.

House Bill No. 546, entitled, an Act to amend and re-enact Sections 2740 and 2741 of Article 1, Chapter 89, Kentucky Statutes, Carroll's Revised 1918 Edition, relating to the classification of cities and towns.

House Bill No. 550, entitled, an Act to amend and re-enact Section 22 of Chapter 54 of the Acts of the General Assembly of 1918, relating to the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons.

Senate Bill No. 141. An Act to amend and re-enact Sections 4282 and 4283 of the Kentucky Statutes, Carroll's Edition of 1918.

Senate Bill No. 28. An Act to amend Sections 4, 16, 17, 42, 42b and 83 of an Act entitled, "An Act to provide an elective system of Workmen's Compensation for Industrial Accidents" and known as Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 23, 1916, and the same Act as amended by what is known as Chapter 176 of the Acts of the General

Assembly of the Commonwealth of Kentucky, for the year 1918, and approved by the Governor, March 29, 1918. Said sections as amended and to be amended by this Act are known as Sections 4883, 4897, 4898, 4925 and 4968 of Carroll's Statutes, Volume 3, 1918 Edition.

Senate Bill No. 361. An Act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

Senate Bill No. 155. An Act to repeal, amend and re-enact Section 1847, Kentucky Statutes, Carroll's Edition, 1915, relating to commissioners to constitute fiscal courts, and providing for special election therefor.

Senate Bill No. 26. An Act providing the granting of scholarships at the Kentucky State University and the State Normal Schools to all persons who were engaged in the military or naval service of the United States during the war with Germany, and who were citizens of this State at the time of their enlistment; providing the requirements necessary to obtain same; and defining the rights and privileges to be given.

Senate Bill No. 80. An Act to repeal and re-enact Section 495 of Chapter 14 of the Civil Code of Practice of the State of Kentucky, Carroll's Edition, 1919, relating to Dower—Sale of and Compensation for.

Senate Bill No. 271. An Act to amend and re-enact Sections 3 and 4 of the Act approved March 18, 1912, (Chapter 112, Page 372, Acts of 1912), entitled, "An Act to repeal 'An Act providing for the creation, control and disposition of a fund to be used in pensioning, under certain conditions, policemen, and the families of deceased policemen, in cities of the first class,' approved March 3, 1904, and to provide for the appointment of trustees and the raising or creation, the

management and disbursement, of a fund to be employed in pensioning, under conditions provided, policemen and the families of deceased policemen in cities of the first class;" said Sections 3 and 4 of said Act being Sub-Sections 3 and 4 of Section 2872a, Kentucky Statutes, Carroll's Edition of 1915.

Senate Bill No. 366. An Act amending Sub-Section 1 of Section 3643, Kentucky Statutes, (Carroll's 1915 Edition), by eliminating from said section the words, "The cost of constructing or reconstructing the intersection or crossing of streets, avenues and highways shall be at the expense of the city."

Senate Bill No. 140. An Act to require sign boards or index boards to be placed on the public highways in certain counties of this Commonwealth, and providing expenses therefor.

Senate Bill No. 249. An Act to repeal and re-enact Section 1112, Kentucky Statutes, relating to a change of venue in criminal cases.

Senate Bill No. 312. An Act to give credit to defendants on terms of imprisonment in the county jail who have been convicted in the circuit court and where confined in the county jail after an examining trial and unable to give bail.

Senate Bill No. 159. An Act increasing and fixing the salaries of district detectives to the Commonwealth's attorney, stenographer to Commonwealth's attorney and supervisor of parents, in counties in this Commonwealth containing a population of more than two hundred thousand.

Senate Bill No. 58. An Act providing for the oiling of the streets in towns of the sixth class in this Commonwealth.

Senate Bill No. 348. An Act relating to oil and natural gas; regulating the receipt of same into pipe lines, and the transportation and delivery thereof to consumers.

Senate Bill No. 29. An Act concerning dwelling houses in cities of the first class and relating to their construction, reconstruction, alteration, maintenance, light and ventilation, sanitation, inspection, protection, safety, control and regulation, and providing penalties for violation of this Act.

Senate Bill No. 272. An Act to amend and re-enact Sections 3 and 4 of the Act approved March 18, 1912, (Chapter 122, Page 428, Acts of 1912), entitled, "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled, 'An Act to amend "An Act for the government of cities of the first class," approved July 1, 1893, for the better government, administration and disposition and discipline of the fire department, and to create and perpetuate a pension fund for disabled firemen, their widows and children, and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class;" said Sections 3 and 4 of said Act being Sub-Sections 17 and 18 of Section 2896a of the Kentucky Statutes, Carroll's Edition of 1915.

Senate Bill No. 202. An Act to amend an Act entitled, "An Act to amend Section 6 of the Act approved March 23, 1910, entitled, 'An Act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy," being Chapter 121 of the Acts of 1916; and also to amend Sub-Section 7 of Section 2978c, of the Kentucky Statutes, (Edition of 1915), relating to the duties of truant officers.

Senate Bill No. 160. An Act to amend Section 334 of the Civil Code of Practice, Sixth Edition, 1919, edited by Hon. John D. Carroll.

Senate Bill No. 373. An Act to amend Section 3563, Kentucky Statutes, being Section 11 of an Act which became a law in the year 1916, being entitled, "An Act to amend and re-enact Sections 3562, 3563, 3564, 3565, 3566, 3567, 3568 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, of the Kentucky Statutes, relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways and thoroughfares in cities of the fourth class."

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time, the Chief Clerk reported that he had performed that duty.

Mr. Lazarus moved that Governor Morrow be invited to address the House of Representatives.

Said motion was agreed to.

Then Governor Morrow appeared in the House and delivered a brief and appropriate address in regard to the work of the General Assembly.

Mr. Wash moved that a committee be appointed to inform the Senate that the House has now completed the business before it, and to request the Senate to appoint a like committee to act in conjunction with the House Committee to wait upon the Governor and inform him that the General Assembly has completed its labors and is ready to adjourn *sine die*, and to inquire of the Governor if he had any further communications to make to the General Assembly.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Wash, Stites and Hamilton as such committee.

After a time the committee reported that they had waited upon the Senate and had been informed that that body had completed its labors. That they had acted in conjunction with a like committee from the Senate and waited upon the Governor and informed him that the General Assembly was about to adjourn and asked him if he had any further communications to make. That they had been informed by the Governor that he had no further communications to make to this General Assembly.

Mr. Lazarus moved that the House do now adjourn *sine die*.

The motion was seconded by Messrs. Humphreys and Welch.

Said motion was agreed to.

Then the House, at 11:35 p. m., adjourned without a day.

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